

1987

Annual Report

of the

Delaware Judiciary



The BiCentennial Logo for the State of Delaware as prepared by the
Delaware Heritage Commission.

1987 ANNUAL REPORT
of the
DELAWARE JUDICIARY

(July 1, 1986 - June 30, 1987)

Honorable Andrew D. Christie
Chief Justice of Delaware

Prepared by the

ADMINISTRATIVE OFFICE OF THE COURTS

Lowell L. Groundland
Acting Director

Adam Golby
Statistician



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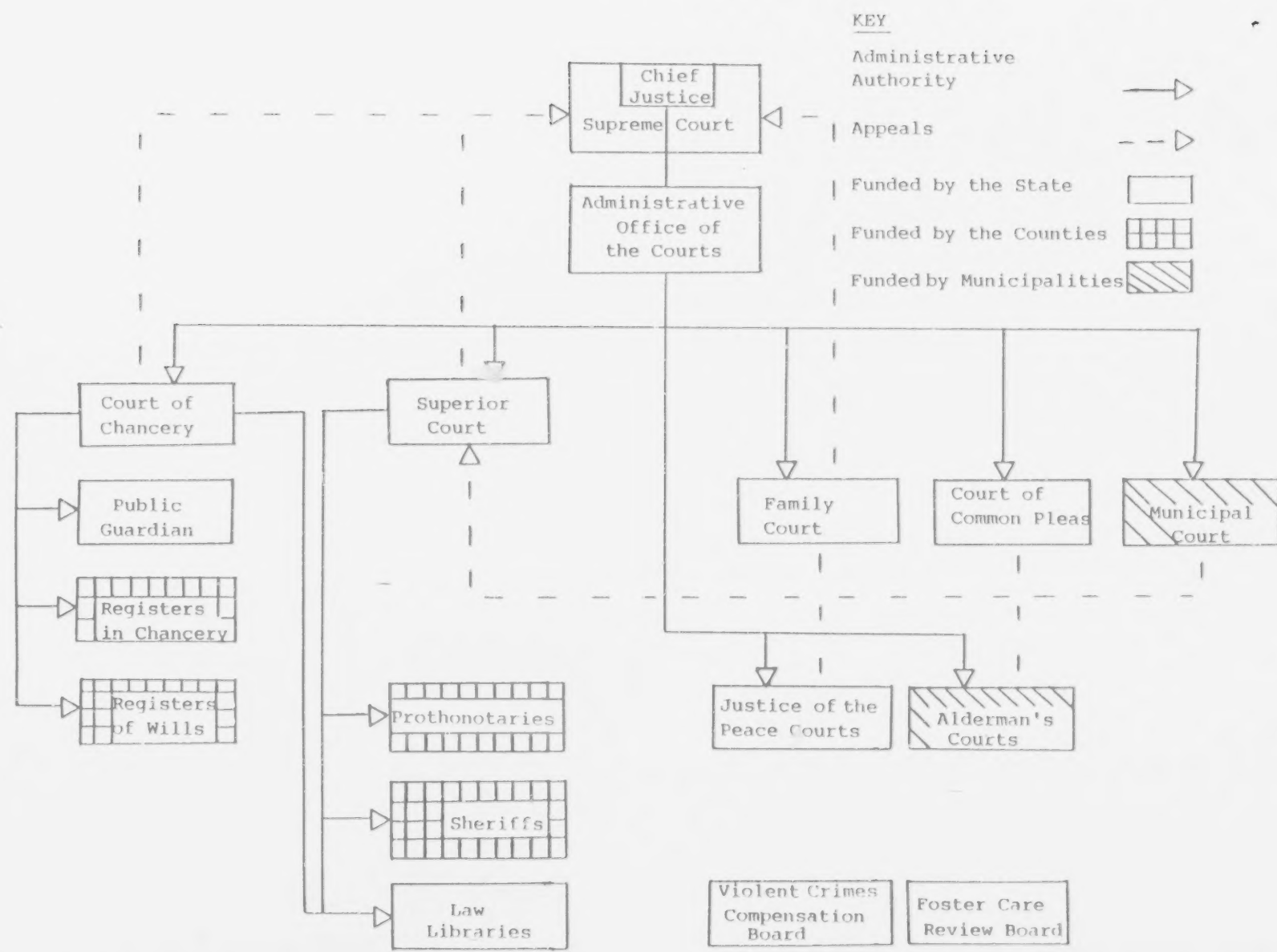
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Introduction & Overview

THE DELAWARE JUDICIAL SYSTEM



SUMMARY OF JUDICIAL BUDGETS
FISCAL YEARS 1986-1987-1988-1989

	F.Y. 1986 Actual Disbursement	F.Y. 1987 Actual Disbursement	F.Y. 1988 Appropriation	F.Y. 1989 Request
<u>STATE*</u>				
Administrative Office of the Courts	\$ 2,776,400	\$ 3,278,300	\$ 3,103,700	\$ 3,996,500
Judicial Information Center	542,600	583,400	791,700	851,000
Supreme Court	1,057,600	1,147,800	1,288,700	1,306,000
Court of Chancery	934,900	979,200	1,030,600	1,043,500
Public Guardian	134,900	158,700	189,100	223,900
Superior Court	4,164,200	4,570,800	4,942,900	5,733,600
New Castle County Prothonotary	-	-	1,089,900	1,754,000
Kent County Prothonotary	-	-	204,400	282,300
Sussex County Prothonotary	-	-	154,500	214,800
Law Libraries	333,900	274,700	334,400	368,000
Family Court	7,060,500	8,172,400	8,516,300	9,901,000
Court of Common Pleas	1,833,700	1,978,200	2,025,800	2,192,100
Justice of the Peace Courts	5,385,300	5,785,300	5,902,700	6,420,400
Violent Crimes Compensation Board	827,100	790,100	805,200	1,146,600
Foster Care Review Board	132,900	176,900	202,100	212,000
STATE TOTALS	\$25,184,000	\$27,895,800	\$30,582,200	\$35,645,700
<u>NEW CASTLE COUNTY</u>				
Register in Chancery	\$ 404,809	\$ 407,235	\$ 417,330	N.A.
Register of Wills	478,770	475,738	507,314	N.A.
Prothonotary	1,284,831	1,358,904	400,000	-
Sheriff	905,694	843,859	958,821	N.A.
NEW CASTLE COUNTY TOTALS	\$ 3,074,104	\$ 3,085,736	\$ 2,283,465	N.A.
<u>KENT COUNTY</u>				
Register in Chancery	\$ 61,576	\$ 59,377	\$ 63,904	N.A.
Register of Wills	41,608	46,827	48,961	N.A.
Prothonotary	162,103	170,716	195,487	-
Sheriff	116,966	125,984	133,970	N.A.
KENT COUNTY TOTALS	\$ 382,253	\$ 402,904	\$ 442,322	N.A.

*Figures include State governed funds, federal funds, and other funds.
N.A. = Not Available

SUMMARY OF JUDICIAL BUDGETS (CONTINUED)
FISCAL YEARS 1986-1987-1988-1989

	F.Y. 1986 Actual <u>Disbursement</u>	F.Y. 1987 Actual <u>Disbursement</u>	F.Y. 1988 <u>Appropriations</u>	F.Y. 1989 <u>Request</u>
<u>SUSSEX COUNTY</u>				
Register in Chancery	\$ 50,618	\$ 52,697	\$ 54,754	N.A.
Register of Wills	47,964	54,298	56,324	N.A.
Prothonotary	90,349	98,652	111,212	-
Sheriff	77,775	119,559	110,367	N.A.
SUSSEX COUNTY TOTALS	\$ 266,706	\$ 325,206	\$ 332,657	N.A.
<u>MUNICIPALITIES</u>				
Municipal Court*	\$ 873,098	\$ 948,104	\$ 900,694	N.A.
Alderman's Courts	N.A.	N.A.	N.A.	N.A.
MUNICIPALITIES TOTALS	N.A.	N.A.	N.A.	N.A.
GRAND TOTALS - JUDICIAL BRANCH**	\$29,780,161	\$32,657,750	\$34,541,338	\$35,645,700

N.A. = Not Available

*Figures include City of Wilmington funds and federal funds.

**Alderman's Courts not included in any totals. Totals for FY 1989 include only State totals.

COURT-GENERATED REVENUE*

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FISCAL YEAR 1987

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Disbursement##
<u>SUBMITTED TO STATE GENERAL FUND</u>						
Administrative Office of the Courts	\$ 0	\$ 0	\$ 0	\$ 600	\$ 600	0.0%
Judicial Information Center	0	0	0	0	0	0.0%
Supreme Court	36,000	0	0	0	36,000	3.1%
Court of Chancery	0	0	204,200	0	204,200	20.9%
Public Guardian	0	0	0	1,000	1,000	0.6%
Superior Court	22,400	6,300	43,500	7,900	80,100	1.8%
Law Libraries	0	0	0	0	0	0.0%
Family Court	323,700	31,900	0	10,800	366,400	4.5%
Court of Common Pleas	126,400	247,900	0	6,000	380,300	19.2%
Justice of the Peace Courts	1,577,800	2,779,200	0	9,600	4,366,600	75.5%
Foster Care Review Board	0	0	0	100	100	0.0%
STATE GENERAL FUND TOTALS	\$2,086,300	\$3,065,300	\$247,700	\$36,000	\$5,435,300	19.5%
<u>RECEIVED BY VICTIMS COMPENSATION FUND</u>						
Superior Court	-	\$ 34,477	-	-	\$ 34,477	-
Family Court	-	4,594	-	-	4,594	-
Court of Common Pleas	-	58,954	-	-	58,954	-
Municipal Court	-	82,140	-	-	82,140	-
Justice of the Peace Courts	-	646,782	-	-	646,782	-
Alderman's Courts	-	121,807	-	-	121,807	-
Restitution	-	10,825	-	-	10,825	-
VICTIMS COMPENSATION FUND TOTALS	-	\$ 959,579	-	-	\$ 959,579	121.5%¶
<u>SUBMITTED TO NEW CASTLE COUNTY</u>						
Register in Chancery	\$ 263,813	\$ 0	\$ 197,398	\$ 0	\$ 461,211	113.3%
Register of Wills	3,327,367	0	76,265	0	3,403,632	670.9%
Prothonotary	605,675	0	25,972	0	631,647	46.5%
Sheriff	269,415	0	0	0	269,415	31.9%
Justice of the Peace Courts	0	442,952	0	0	442,952	7.7%
NEW CASTLE COUNTY TOTALS	\$4,466,270	\$ 442,952	\$299,635	\$ 0	\$5,208,857	168.8%¶

*Figures represent only revenue actually collected, not the total amount of fines and costs actually assessed.

**Counties receive 50% of all Court of Chancery interest money and 25% of all Superior Court interest money.

#Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.

##FY 1987 Revenue divided by FY 1987 Actual Disbursement, which includes State general, federal, and other funds.

¶Revenue as % of disbursement for county offices.

COURT-GENERATED REVENUE (CONTINUED)*

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Disbursement##
<u>SUBMITTED TO KENT COUNTY</u>						
Register in Chancery	\$ 14,021	\$ 0	\$ 2,486	\$ 0	\$ 16,507	27.8%
Register of Wills	285,641	0	0	0	285,641	610.0%
Prothonotary	60,529	0	7,071	0	67,600	39.6%
Sheriff	17,764	0	0	0	17,764	14.1%
KENT COUNTY TOTALS	\$ 377,955	\$ 0	\$ 9,557	\$ 0	\$ 387,512	96.2%
<u>SUBMITTED TO SUSSEX COUNTY</u>						
Register in Chancery	\$ 21,248	\$ 0	\$ 2,103	\$ 0	\$ 23,351	46.3%
Register of Wills	355,156	0	0	0	355,156	654.1%
Prothonotary	57,774	11,672	4,986	9,595	84,027	86.2%
Sheriff	54,812	0	0	0	54,812	45.8%
SUSSEX COUNTY TOTALS	\$ 488,990	\$11,672	\$ 7,089	\$9,595	\$ 517,346	159.1%
<u>SUBMITTED TO MUNICIPALITIES</u>						
Municipal Court	\$ 116,194	\$ 645,677	\$ 0	\$ 0	\$ 761,871	80.4%
Justice of the Peace Courts	0	806,793	0	0	806,793	13.9%
Alderman's Courts	150,507	700,825	0	0	\$ 851,332	N.A.
MUNICIPALITIES TOTALS	\$ 266,701	\$2,153,295	\$ 0	\$ 0	\$2,419,996	N.A.
GRAND TOTALS - JUDICIAL BRANCH	\$7,686,216	\$6,632,798	\$563,981	\$45,595	\$14,928,590	45.7%

N.A. = Not Available

*Figures represent only revenue actually collected, not the total amount of fines and costs actually assessed.

**Counties receive 50% of all Court of Chancery interest money and 25% of all Superior Court interest money.

#Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.

##FY 1987 Revenue divided by FY 1987 Actual Disbursement, which includes State general, federal, and other funds.

§This figure is approximate as some expenditure data is not available.

NOTE: Total revenue generated by the Justice of the Peace Courts in FY 1987 was \$5,616,345, which represents 97.1% of expenditures for that year.

RESTITUTION

FISCAL YEAR 1987

<u>Court</u>	<u>Restitution Assessed</u>	<u>Restitution Collected</u>	<u>Restitution Disbursed</u>
Supreme Court	\$ 0	\$ 0	\$ 0
Court of Chancery	0	0	0
Superior Court:			
NCC Prothonotary	818,000	N/A	233,000
Kent County Prothonotary	304,200	78,800	78,800
Sussex County Prothonotary	N/A	77,600	77,600
Family Court	166,600	105,900	105,900
Court of Common Pleas	156,200	94,600	97,300
Municipal Court	N/A	45,853	N/A
Justice of the Peace Courts*	<u>450,100</u>	<u>77,400</u>	<u>77,400</u>
TOTALS **	\$1,895,100	\$480,153	\$670,000

NCC = New Castle County

N/A = Not Available

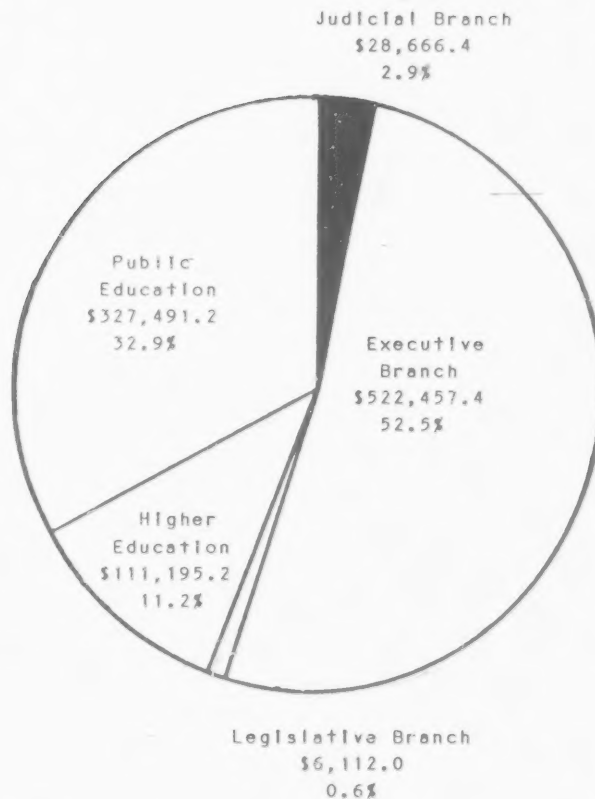
*Most restitution assessed in Justice of the Peace Courts is ordered to be paid directly to the victim, thus explaining the apparent disparity between the amount assessed and the amount collected.

**Totals exclude all information which is not available.

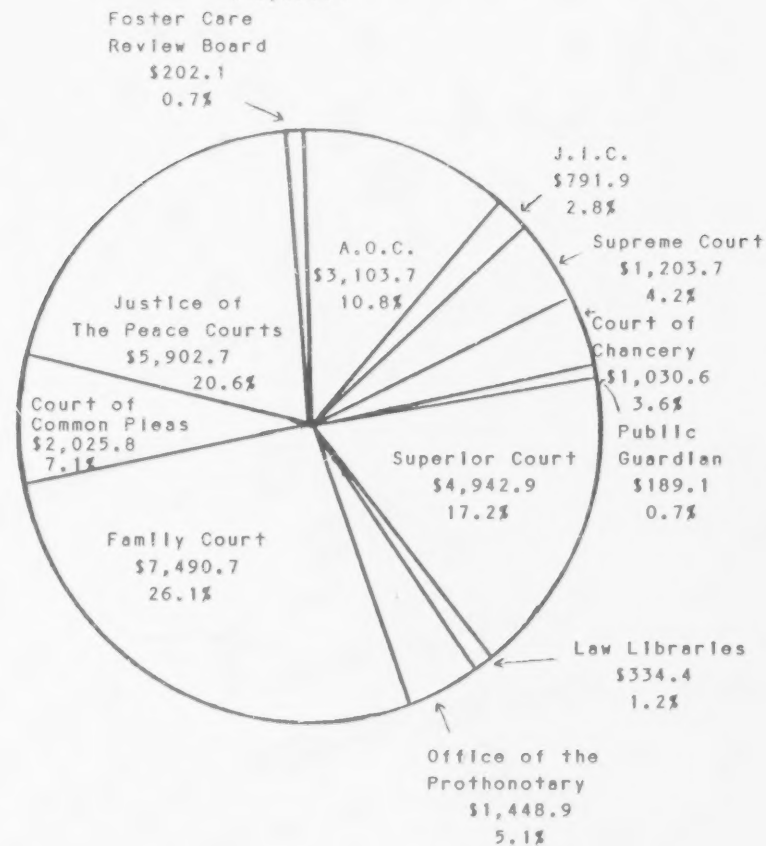
DELAWARE STATE GOVERNMENT APPROPRIATIONS*
(IN THOUSANDS)
FISCAL YEAR 1988

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STATE APPROPRIATIONS - TOTAL
\$995,922.2



STATE APPROPRIATIONS - JUDICIARY
\$28,666.4



*State general fund monies only.

A.O.C. = Administrative Office of the Courts

J.I.C. = Judicial Information Center

Source: 134th General Assembly, House Bill 350

Administrative Office of the Courts

ADMINISTRATIVE OFFICE OF THE COURTS

Legal Authorization

The Administrative Office of the Courts was established by 10 Delaware Code, Chapter 1.

Duties

The Administrative Office of the Courts serves as the central point for coordination and communications concerning all court administrative activities in the judicial system. The office prepares budgets for the Court of Chancery, and the Foster Care Review Board, and assists in preparation of the budgets of the Supreme Court, Public Guardian and the Law Libraries. It administers the payment of all jurors and witnesses. The AOC is responsible for the payment of certain court rentals. It has primary responsibility for the acquisition, supervision, and administration of federal funds received to assist the court system. The Administrative Office of the Courts has responsibility for the development and maintenance of the computerized judicial information system and the Personnel System for the Non-Merit System Courts. Also, the AOC acts as the focal point between the court system and other government agencies on the local, state, and federal levels. The Administrative Office of the Courts collects statistics from the various courts and produces the Annual Report of the Delaware Judiciary. The AOC-also performs other duties as prescribed by the Chief Justice.

Personnel

The Director of the Administrative Office of the Courts is appointed by and serves at the pleasure of the Chief Justice of the Supreme Court of the State of Delaware.

The Director may, with the approval of the Chief Justice, appoint such assistants and clerical personnel as are required.

ADMINISTRATIVE OFFICE OF THE COURTS

Main Office
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, DE 19801
(571-2480)

Judicial Information Center
Public Building
1020 King Street
Wilmington, DE 19801
(571-2344)

PERSONNEL

Director

Vacant

Joyce A. Zeller, Secretary

Deputy Director (Acting Director)

Lowell L. Groundland

Statistician

Adam Golby

Mgr. Personnel Services

Charlotte T. Lister

Fiscal Services Manager

E. Dawn Bowman

Information Resources Manager

James D. Brown

Data Processing Manager

James P. Boulanger

Personnel Officer

Vacant

Budget & Acct. Officer

E. Lynn Deramo-Durr

Systems Software Spec.

Donald L. Hudgins

Allan Bruner

Accounting Clerks

Robin C. Jenkins

Vacant

App. Support Specialist

Ernest J. Hoh

Michael D. Gibson

Robby U. Khanal

Word Processing Operator

Maria Cook

Computer Operators

Patricia A. Hall

Annette Lang

Clerk Typist

Vacant



Supreme Court

Authorization

The Supreme Court is created by the Constitution of Delaware, Article IV, Section 1. The Supreme Court sits in Dover but the Justices maintain their chambers in the counties where they reside.

Jurisdiction

The Court has final appellate jurisdiction in criminal cases in which the sentence exceeds certain minimums, in civil cases as to final judgments, and for certain other orders of Court of Chancery, Superior Court, and Family Court. Appeals are heard on the record. Under some circumstances the Supreme Court has jurisdiction to issue writs of prohibition, quo warranto, certiorari, and mandamus.

Justices

The Supreme Court consists of a Chief Justice and four Justices, who are appointed by the Governor with the consent of the Senate. The Justices are appointed for 12-year terms and must be learned in the law and citizens of the State. Three of the Justices must be of one of the major political parties while the other two Justices must be of the other major political party.

Administration

The Chief Justice is responsible for the administration of all courts in the State and appoints a Director of the Administrative Office of the Courts to manage the non-judicial aspects of court administration. The Supreme Court is staffed by a Court Administrator, a Clerk, law clerks, a Chief Deputy Clerk, secretaries and a clerk/bailiff.

Caseload Trends

There were 401 filings during FY 1987, which is 4.5% less than the 420 filings in FY 1986. Dispositions rose slightly from 418 in FY 1986 to 423 in FY 1987. Pending cases fell as a result of the decrease in filings and the increase in dispositions from 237 at the end of FY 1986 to 215 at the end of FY 1987, a 9.3% decrease.

Elapsed time information on the average time from filing to disposition was collected once again during FY 1987 as was data on the average time from submission to disposition. The former measure deals with the time from the date on which the case is filed in the Supreme Court to the date of disposition while the latter is limited to the time from the date on which the case is submitted for judicial decision to the date of disposition. The average elapsed time from filing to disposition rose by 3.3% to 192.4 days in FY 1987 from 186.3 days in FY 1986. The average time from submission to disposition increased also to 52.3 days in FY 1987 from 40.9 days in FY 1986.

The time taken from the date of filing for a case in Supreme Court to the date on which it is submitted for judicial decision is the cause for the substantial difference in the elapsed time data from filing to disposition as compared with submission to disposition. This reflects the fact that a case may take up to 165 days from the date it is filed to the date it is submitted for judicial decision even where no time extensions are granted. These delays are caused by the time periods allowed by the rules for the preparation of transcript of the proceedings in the trial and for the submission of briefs in the Supreme Court.

SUPREME COURT

JUDICIARY

Chief Justice Andrew D. Christie (R, 9/30/97)
Elaine M. Ryan, Secretary (571-3700)
Elbert N. Carvel Delaware State Building, 11th Floor
820 North French Street
P.O. Box 1997
Wilmington, DE 19899

Justice Henry R. Horsey (R, 10/30/90)
Audrey F. Bacino, Secretary (736-4214)
Supreme Court Building
57 The Green
P.O. Box 476
Dover, DE 19903

Justice Andrew G. T. Moore, II (D, 5/13/94)
Carolyn Miller, Secretary (571-3730)
Elbert N. Carvel Delaware State Building, 11th Floor
820 North French Street
P.O. Box 1997
Wilmington, DE 19899

Justice Joseph T. Walsh (D, 9/30/97)
Linda Flohr, Secretary (571-2690)
Elbert N. Carvel Delaware State Building, 11th Floor
820 North French Street
P.O. Box 1997
Wilmington, DE 19899

Justice Randy J. Holland (R, 12/2/98)
Mary Catherine Pritchett (856-5363)
Supreme Court Chambers
Sussex County Courthouse
The Circle
P.O. Box 229
Georgetown, DE 19947

SUPREME COURT

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SUPPORT PERSONNEL

NEW CASTLE COUNTY

Supreme Court Chambers
11th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
P.O. Box 1997
Wilmington, DE 19899

Court Administrator
Stephen D. Taylor
(571-3786)-

Administrative Secretary
Cecelia E. Kelley
(571-2429)

Law Clerks
Brian M. Colligan
(571-3709)
Alan J. Stone
(571-3722)
Robert M. Omrod
(571-3799)

Secretary
Deborah L. Collins
(571-2425)

KENT COUNTY

Supreme Court Building
55 The Green
P.O. Box 476
Dover, DE 19903

Clerk of the Supreme Court
Vacant
(736-4155)

Chief Deputy Clerk
Cathy L. Howard
(736-4155)

Bailiff/Clerk
Debra Zatlokovicz
(736-4155)

Michael J. Maimone
(736-4214)

SUSSEX COUNTY

Supreme Court Chambers
Sussex County Courthouse
The Circle
P.O. Box 229
Georgetown, DE 19947

R. Anthony Salgado
(856-5563)

SUPREME COURT

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WORKLOAD SUMMARY

	<u>Pending 6/30/86</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
Criminal Appeals	110	135	153	92	-18	- 16.4%
Civil Appeals	119	230	236	113	- 6	- 5.0%
Certifications	2	4	4	2	0	0.0%
Original Applications*	<u>6</u>	<u>32</u>	<u>30</u>	<u>8</u>	<u>+ 2</u>	<u>+ 33.3%</u>
TOTALS	237	401	423	215	-22	- 9.3%

COMPARISON - FISCAL YEARS 1986-1987
WORKLOADFILINGS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
Criminal Appeals	155	135	-20	- 12.9%
Civil Appeals	230	230	0	0.0%
Certifications	3	4	+ 1	+ 33.3%
Original Applications	25	22	- 3	- 12.0%
Bd. on Prof. Resp.	4	10	+ 6	+150.0%
Bd. of Bar Exam.	<u>3</u>	<u>0</u>	<u>- 3</u>	<u>-100.0%</u>
TOTALS	420	401	-19	- 4.5%

DISPOSITIONS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
Criminal Appeals	128	153	+25	+ 19.5%
Civil Appeals	246	236	-10	- 4.1%
Certifications	3	4	+ 1	+ 33.3%
Original Applications	26	23	- 3	- 11.5%
Bd. on Prof. Resp.	13	6	- 7	- 53.8%
Bd. of Bar Exam.	<u>2</u>	<u>1</u>	<u>- 1</u>	<u>- 50.0%</u>
TOTALS	418	423	+ 5	+ 1.2%

*Board of Bar Examiners and Board on Professional Responsibility are included with the original applications in the Workload Summary. Each is listed separately, however, in the Workload Comparison.

Bd. on Prof. Resp. = Board on Professional Responsibility

Bd. of Bar Exam. = Board of Board Examiners

Source: Court Administrator and Clerk of the Supreme Court

SUPREME COURT

FISCAL YEAR 1987
WORKLOAD BREAKDOWNS

FILINGS

	Court of Chancery	Superior Court	Family Court	Non-Court Originated	TOTALS
Criminal Appeals	0 0.0%	135 100.0%	0 0.0%	0 0.0%	135 100.0%
Civil Appeals	42 18.3%	150 65.2%	38 16.5%	0 0.0%	230 100.0%
Certifications	0 0.0%	0 0.0%	0 0.0%	4 100.0%	4 100.0%
Original Applications	0 0.0%	0 0.0%	0 0.0%	22 100.0%	22 100.0%
Bd. on Prof. Resp.	0 0.0%	0 0.0%	0 0.0%	10 100.0%	10 100.0%
TOTALS	42 10.5%	285 71.1%	38 9.5%	36 9.0%	401 100.0%

DISPOSITIONS

	Court of Chancery	Superior Court	Family Court	Non-Court Originated	TOTALS
Criminal Appeals	0 0.0%	153 100.0%	0 0.0%	0 0.0%	153 100.0%
Civil Appeals	32 13.6%	153 64.8%	51 21.6%	0 0.0%	236 100.0%
Certifications	0 0.0%	0 0.0%	0 0.0%	4 100.0%	4 100.0%
Original Applications	0 0.0%	0 0.0%	0 0.0%	23 100.0%	23 100.0%
Bd. on Prof. Resp.	0 0.0%	0 0.0%	0 0.0%	6 100.0%	6 100.0%
Bd. of Bar Exam.	0 0.0%	0 0.0%	0 0.0%	1 100.0%	1 100.0%
TOTALS	32 7.6%	306 72.4%	51 12.1%	34 8.0%	423 100.0%

CHANGE IN PENDING CASES

	Court of Chancery	Superior Court	Family Court	Non-Court Originated	TOTALS
Criminal Appeals	0	-18	0	0	-18
Civil Appeals	+10	-3	-13	0	-6
Certifications	0	0	0	0	0
Original Applications	0	0	0	-1	-1
Bd. on Prof. Resp.	0	0	0	+4	+4
Bd. of Bar Exam.	0	0	0	-1	-1
TOTALS	+10	-21	-13	+2	-22

Bd. on Prof. Resp. = Board on Professional Responsibility.
Bd. of Bar Exam. = Board of Bar Examiners.

Source: Court Administrator and Clerk of the Supreme Court

SUPREME COURT

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WORKLOAD
TYPES OF DISPOSITIONS

APPEALS DISPOSITIONS

	<u>Affirmed</u>	<u>Aff.Pt./ Rev.Pt.</u>	<u>Reversed</u>	<u>Reversed and Remanded</u>	<u>Remanded</u>	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>Leave to Appeal Denied</u>	<u>TOTALS</u>
Criminal Appeals	111 72.6%	2 1.3%	6 3.9%	7 4.6%	0 0.0%	8 5.2%	19 12.4%	0 0.0%	153 100.0%
Civil Appeals	110 46.6%	11 4.7%	7 3.0%	8 3.4%	1 0.4%	43 18.2%	35 14.8%	21 8.9%	236 100.0%
TOTALS	221 56.8%	13 3.3%	13 3.3%	15 3.9%	1 0.3%	51 13.1%	54 13.9%	21 5.4%	389 100.0%

MISCELLANEOUS DISPOSITIONS

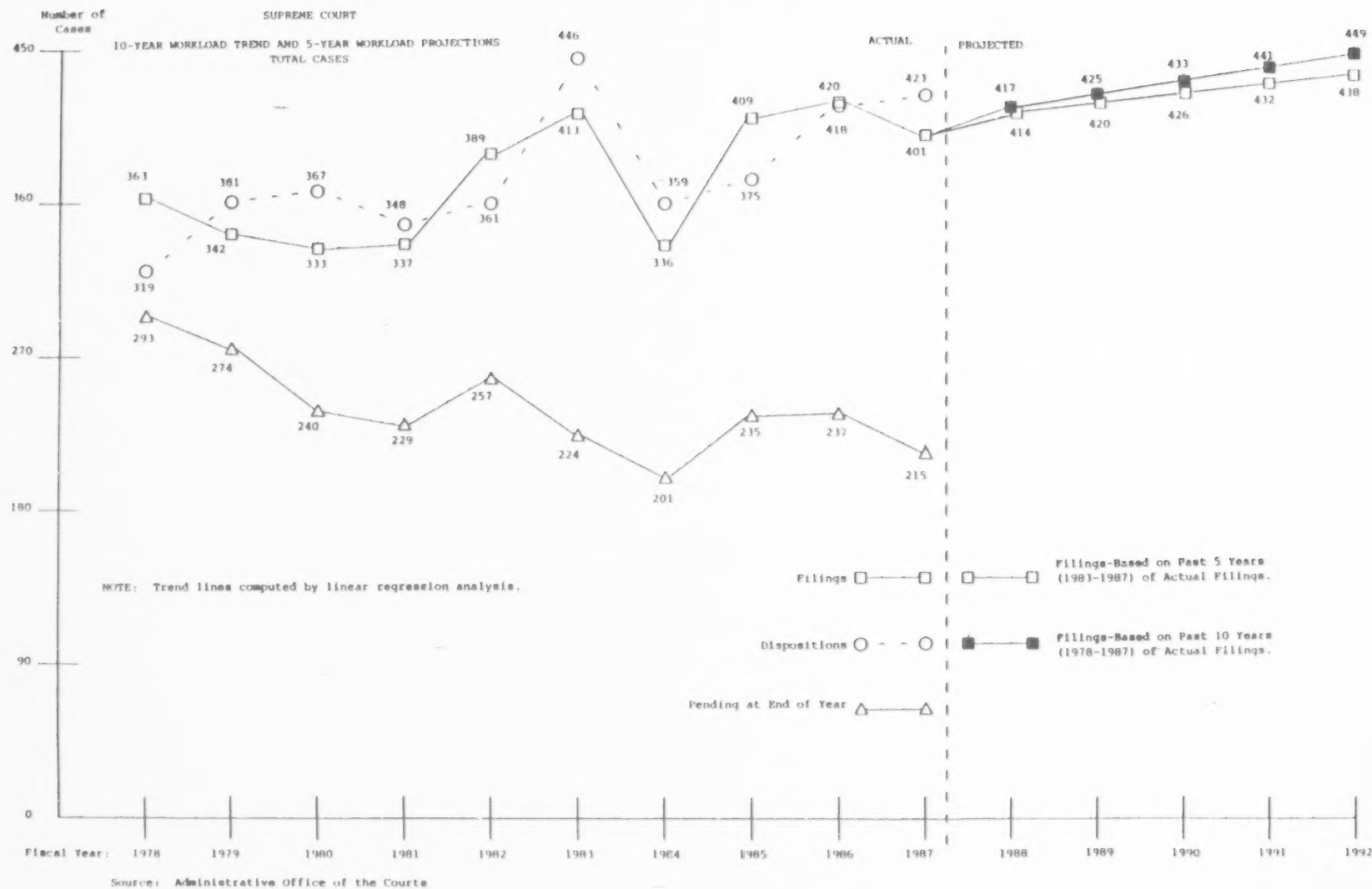
	<u>Affirmed</u>	<u>Leave to Appeal Denied</u>	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>TOTALS</u>
Certifications	1 25.0%	3 75.0%	0 0.0%	0 0.0%	4 100.0%
Original Applications	0 0.0%	3 13.1%	2 8.7%	18 78.3%	23 100.0%
Board of Bar Examiners	0 0.0%	0 0.0%	1 100.0%	0 0.0%	1 100.0%
Bd. on Prof. Resp.	5 83.3%	0 0.0%	0 0.0%	1 16.7%	6 100.0%
TOTALS	6 17.7%	6 17.7%	3 8.8%	19 55.9%	34 100.0%

METHODS OF DISPOSITIONS

	<u>Assigned Opinion</u>	<u>Per Curiam Opinion</u>	<u>Written Order</u>	<u>Voluntary Dismissal</u>	<u>TOTALS</u>
Criminal Appeals	25 16.3%	3 2.0%	117 76.5%	8 5.2%	153 100.0%
Civil Appeals	35 14.8%	6 2.6%	152 64.4%	43 18.2%	236 100.0%
Certifications	0 0.0%	0 0.0%	4 100.0%	0 0.0%	4 100.0%
Original Applications	1 4.4%	0 0.0%	20 87.0%	2 8.7%	23 100.0%
Board of Bar Examiners	0 0.0%	0 0.0%	0 0.0%	1 100.0%	1 100.0%
Bd. on Prof. Resp.	0 0.0%	0 0.0%	6 100.0%	0 0.0%	6 100.0%
TOTALS	61 14.4%	9 2.1%	299 70.7%	54 12.8%	423 100.0%

Aff.Pt./Rev.Pt. = Affirmed in Part/Reversed in Part
Bd. on Prof. Resp. = Board on Professional Responsibility.

Source: Court Administrator and Clerk of the Supreme Court



SUPREME COURT

PAGE
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FISCAL YEAR 1987
PERFORMANCE SUMMARY

	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>	<u>Average Time from Submission to Disposition*</u>
Criminal Appeals	153	255.5 days	51.2 days
Civil Appeals	236	170.3	55.8
Certifications	4	179.5	137.3
Original Applications	23	27.1	17.2
Bd. on Prof. Resp.	6	111.5	34.7
Bd. of Bar Exam.	1	100.0	-
TOTALS*	423	192.4 days	52.3 days

COMPARISON - FISCAL YEARS 1986-1987
PERFORMANCE SUMMARY

AVERAGE TIME FROM FILING TO DISPOSITION

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
Criminal Appeals	234.7 days	255.5 days	+ 20.8 days	+ 8.9%
Civil Appeals	177.3	170.3	- 7.0	- 3.9%
Certifications	68.3	179.5	+111.2	+162.8%
Original Applications	25.0	27.1	+ 2.1	+ 8.4%
Bd. on Prof. Resp.	257.8	111.5	-146.3	- 56.7%
Bd. of Bar Exam.	11.0	100.0	+ 89.0	+809.1%
TOTALS	186.3 days	192.4 days	+ 6.1 days	+ 3.3%

*Average time from date submitted for judicial decision to actual date of disposition.
Not all Supreme Court dispositions require a judicial decision.

Bd. on Prof. Resp. = Board on Professional Responsibility.
Bd. of Bar Exam. = Board of Bar Examiners.

Source: Court Administrator and Clerk of the Supreme Court; Administrative Office of the Courts

SUPREME COURT

FISCAL YEAR 1987
PERFORMANCE BREAKDOWNS

ELAPSED TIME BY DISPOSITION TYPE

<u>Type of Disposition</u>	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>	<u>Average Time from Submission to Disposition*</u>
Affirmed	227	245.0 days	55.2 days
Affirmed Part/Reversed in Part	13	390.2	118.1
Reversed	13	363.0	134.4
Reversed and Remanded	15	327.4	102.3
Remanded	1	87.0	0.0
Voluntary Dismissal	54	98.0	-
Court Dismissal	73	70.7	21.5
Leave to Appeal Denied	27	19.6	14.8
TOTALS	423	192.4 days	52.3 days

ELAPSED TIME BY DISPOSITION METHOD

<u>Method of Disposition</u>	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>	<u>Average Time from Submission to Disposition*</u>
Assigned Opinion	61	398.0 days	140.5 days
Per Curium Opinion	9	293.3	87.9
Written Order	299	164.4	33.3
Voluntary Dismissal	54	98.0	-
TOTALS	423	192.4 days	52.3 days

*Average time from date submitted for judicial decision to actual date of disposition.
Not all Supreme Court dispositions require a judicial decision.

Source: Court Administrator and Clerk of the Supreme Court; Administrative Office of the Courts



Court of Chancery

COURT OF CHANCERY

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, authorizes the Court of Chancery.

Geographic Organization

The Court of Chancery holds court in Wilmington, Dover and Georgetown.

Legal Jurisdiction

The Court of Chancery has jurisdiction to hear and determine all matters and causes in equity. The general equity jurisdiction of the Court is measured in terms of the general equity jurisdiction of the High Court of Chancery of Great Britain as it existed prior to the Separation of the American Colonies. The General Assembly may confer upon the Court of Chancery additional statutory jurisdiction. In today's practice, the litigation in the Court of Chancery consists largely of corporate matters, trusts, estates and other fiduciary matters, disputes involving the purchase and sale of land, questions of title to real estate, and commercial and contractual matters in general. When issues of fact to be tried by a jury arise, the Court of Chancery may order such facts to trial by Issues at the Bar of the Superior Court (10 Del. C. §369).

Judges

The Court of Chancery consists of one Chancellor and three Vice-Chancellors. The Chancellor and Vice-Chancellors are appointed by the Governor with the consent of the majority of the Senate's elected members for 12-year terms. The Chancellor and Vice-Chancellor must be learned in the law and must be Delaware citizens.

Support Personnel

The Chancellor may appoint court reporters, bailiffs, clerks or pages, and law clerks. The Register in Chancery is the Clerk of the Court for all actions except those within the jurisdiction of the Register of Wills. A Register in Chancery is elected for each county. The Chancellor or Vice-Chancellor resident in the county is to appoint one Chief Deputy Register in Chancery in each county. The Register in Chancery in New Castle County appoints a Chief Deputy Register in Chancery as well.

Public Guardian

The Chancellor has the duty to appoint the Public Guardian.

Caseload Trend

There were 706 civil cases filed during FY 1987, which was 3.1% more than the 685 filings in FY 1986. 528 cases were disposed of in FY 1987, a decrease of 19.9% from the 659 cases terminated in FY 1986. The mild rise in filings along with the substantial fall in dispositions led to a 20.8% increase in year end pending from 857 at the end of FY 1986 to 1,035 at the end of FY 1987.

There were 619 miscellaneous petitions filed in the Court during FY 1987 (miscellaneous petitions include applications for appointment of guardians, for approval of tort settlements for minors, etc.). This represents an increase of 13.8% in statewide miscellaneous matters filed during FY 1987 from 544 filings during FY 1986.

The number of estates opened (filed) decreased slightly from 2,080 in FY 1986 to 2,027 in FY 1987. There was a decrease in estates closed (disposed) as well, dropping from 1,809 in FY 1986 to 1,722 in FY 1987. The pending at the end of the year rose for the fourth consecutive year, increasing by 10.2% to 3,307 at the end of FY 1987 from 3,002 at the end of FY 1986.

COURT OF CHANCERY

JUDICIARY

Chancellor

Hon. William T. Allen (R, 5/30/97)
Vickie L. Lally, Secretary
(571-2442)

Vice-Chancellors

Hon. Maurice A. Hartnett, III (D, 9/29/88)
Shirley D. Wood, Secretary
Joyce D. Stockslager, Secretary
(736-4397, 571-2440)

Hon. Carolyn Berger (D, 3/27/96)
Rosalie Barbera, Secretary
(571-2443)

Hon. Jack B. Jacobs (D, 9/30/97)
R. Cathy Daniels, Secretary
(571-2441)

COURT OF CHANCERY

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Court of Chancery
134 Public Building
1020 North King Street
Wilmington, Delaware 19801
(571-2440)

Master in Chancery
Richard C. Kiger, Esquire
(571-2348)

Court Reporters
Henry D. Skogmo, Chief
(571-2447)

Lorraine B. Marino
(571-2448)

Jack B. White
(571-2447)

Notereader/Transcribers
Sharon McClure
Ann Nolan

Law Clerks
Nikos Stamos
J. Caleb Boqgs, III
Mark Kearney
David Schaffer, Jr.
(571-2444)

KENT COUNTY

Court of Chancery
48 The Green
Dover, Delaware 19901

SUSSEX COUNTY

Court of Chancery
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947

Judicial Secretary/Receptionist
Mary Lou Wilcoxson
(856-5338)

COURT OF CHANCERY

SUPPORT PERSONNEL (CONT'D)

REGISTERS IN CHANCERY

NEW CASTLE COUNTY

Register in Chancery
Mezzanine Public Building
1020 King Street
Wilmington, Delaware 19801
(571-7540)

Registers in Chancery
John D. Kelly, III

Chief Deputies
M. Roger Holmes
Jane L. Koke

Deputies
Patricia G. Randolph
Ken Lagowski

KENT COUNTY

Register in Chancery
Kent County Courthouse
38 The Green
Dover, Delaware 19901
(736-2242; 736-2243)

Loretta L. Wootten

B. Gail Shaughnessy

Delores Chadwick

SUSSEX COUNTY

Register in Chancery
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947
(855-7842)

Harvey F. Donovan, Sr.

Bonnie E. Gregory

Shirley S. Sommers

COURT OF CHANCERY

REGISTERS OF WILLS

NEW CASTLE COUNTY

Register of Wills
Mezzanine, Public Building
1020 North King Street
Wilmington, Delaware 19801
(571-7545)

Registers of Wills
Joseph F. Flickinger, III
Diane Button, Secretary

Chief Deputies
Grover D. Luttrell, Jr.
Patricia Olesky

Deputies
Lillian Kleveland
Adelaide Giacoma

KENT COUNTY

Register of Wills
Kent County Courthouse
38 The Green
Dover, Delaware 19901
(736-2233)

Sandra W. Dean

Francine Gilbert

Carol A. Dill

SUSSEX COUNTY

Register of Wills
Sussex County Courthouse
P.O. Box 111
The Circle
Georgetown, Delaware 19947
(855-7876)

Ronald B. Waller

Isabelle P. Morris

Marie A. Scott

COURT OF CHANCERY

FISCAL YEAR 1987
CIVIL CASES
WORKLOAD SUMMARY

	<u>Pending 6/30/86</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	676	598	436	838	+162	+24.0%
Kent	70	47	46	71	+ 1	+ 1.4%
Sussex	111	61	46	126	+ 15	+13.5%
State	857	706	528	1,035	+178	+20.8%

COMPARISON - FISCAL YEARS 1986-1987
CIVIL CASES
WORKLOAD

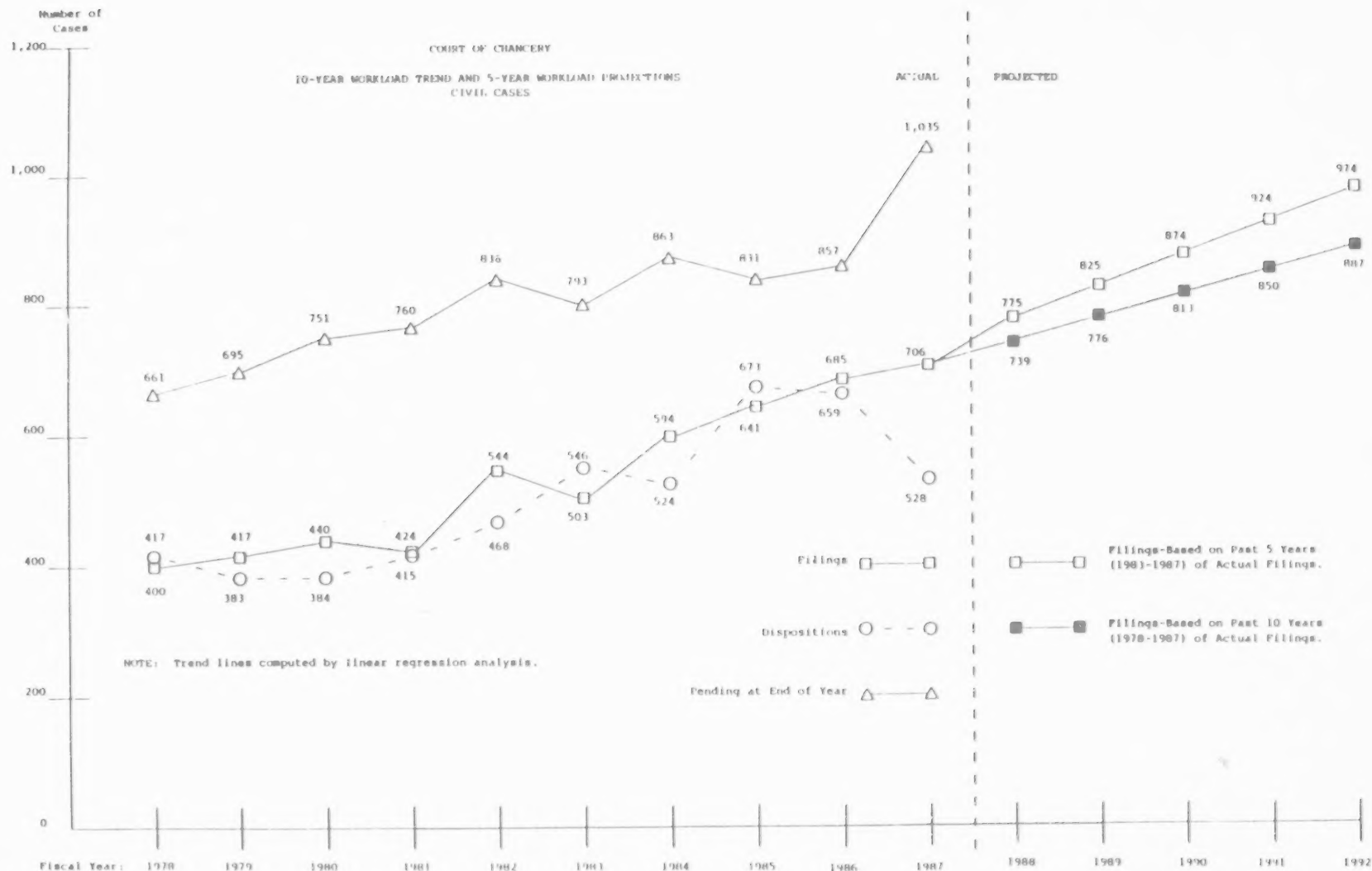
FILINGS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	555	598	+ 43	+ 7.8%
Kent	45	47	+ 2	+ 4.5%
Sussex	85	61	- 24	-28.2%
State	685	706	+ 21	+ 3.1%

DISPOSITIONS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	536	436	-100	-18.7%
Kent	35	46	+ 11	+31.4%
Sussex	88	46	- 42	-47.7%
State	659	528	-131	-19.9%

Source: New Castle County, Kent County, and Sussex County Registers in Chancery



Source: Administrative Office of the Courts

COURT OF CHANCERY
FISCAL YEAR 1987
MISCELLANEOUS MATTERS
WORKLOAD SUMMARY

	<u>Pending 6/30/86</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	3,160	299	262	3,197	+ 37	+1.2%
Kent	675	140	88	727	+ 52	+7.7%
Sussex	<u>1,236</u>	<u>180</u>	<u>134</u>	<u>1,282</u>	+ 46	+3.7%
State	5,071	619	484	5,206	+135	+2.7%

COMPARISON - FISCAL YEARS 1986-1987
MISCELLANEOUS MATTERS

FILINGS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	292	299	+ 7	+ 2.4%
Kent	50	140	+90	+180.0%
Sussex	<u>202</u>	<u>180</u>	-22	- 10.9%
State	544	619	+75	+ 13.8%

DISPOSITIONS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	248	262	+14	+ 5.7%
Kent	28	88	+60	+214.3%
Sussex	<u>144</u>	<u>134</u>	-10	- 7.0%
State	420	484	+64	+ 15.2%

Source: New Castle County, Kent County, and Sussex County Registers in Chancery

COURT OF CHANCERY

PAGE
=39=FISCAL YEAR 1987
MISCELLANEOUS MATTERS
WORKLOAD BREAKDOWNSFILINGS

	<u>Guardians for Minors</u>	<u>Guardians for Infirm</u>	<u>Trustees for Mentally Ill</u>	<u>Trusts</u>	<u>Other Matters</u>	<u>TOTALS</u>
New Castle	117 39.1%	79 26.4%	2 0.7%	70 23.4%	31 10.4%	299 100.0%
Kent	19 13.6%	32 22.9%	0 0.0%	82 58.6%	7 5.0%	140 100.0%
Sussex	17 9.4%	40 22.2%	0 0.0%	71 39.4%	52 28.9%	180 100.0%
State	153 24.7%	151 24.4%	2 0.3%	223 36.0%	90 14.5%	619 100.0%

DISPOSITIONS

	<u>Guardians for Minors</u>	<u>Guardians for Infirm</u>	<u>Trustees for Mentally Ill</u>	<u>Trusts</u>	<u>Other Matters</u>	<u>TOTALS</u>
New Castle	62 23.7%	64 24.4%	0 0.0%	126 48.1%	10 3.8%	262 100.0%
Kent	22 25.0%	14 15.9%	0 0.0%	46 52.3%	6 6.8%	88 100.0%
Sussex	18 13.4%	41 30.6%	0 0.0%	26 19.4%	49 36.6%	134 100.0%
State	102 21.1%	119 24.6%	0 0.0%	198 40.9%	65 13.4%	484 100.0%

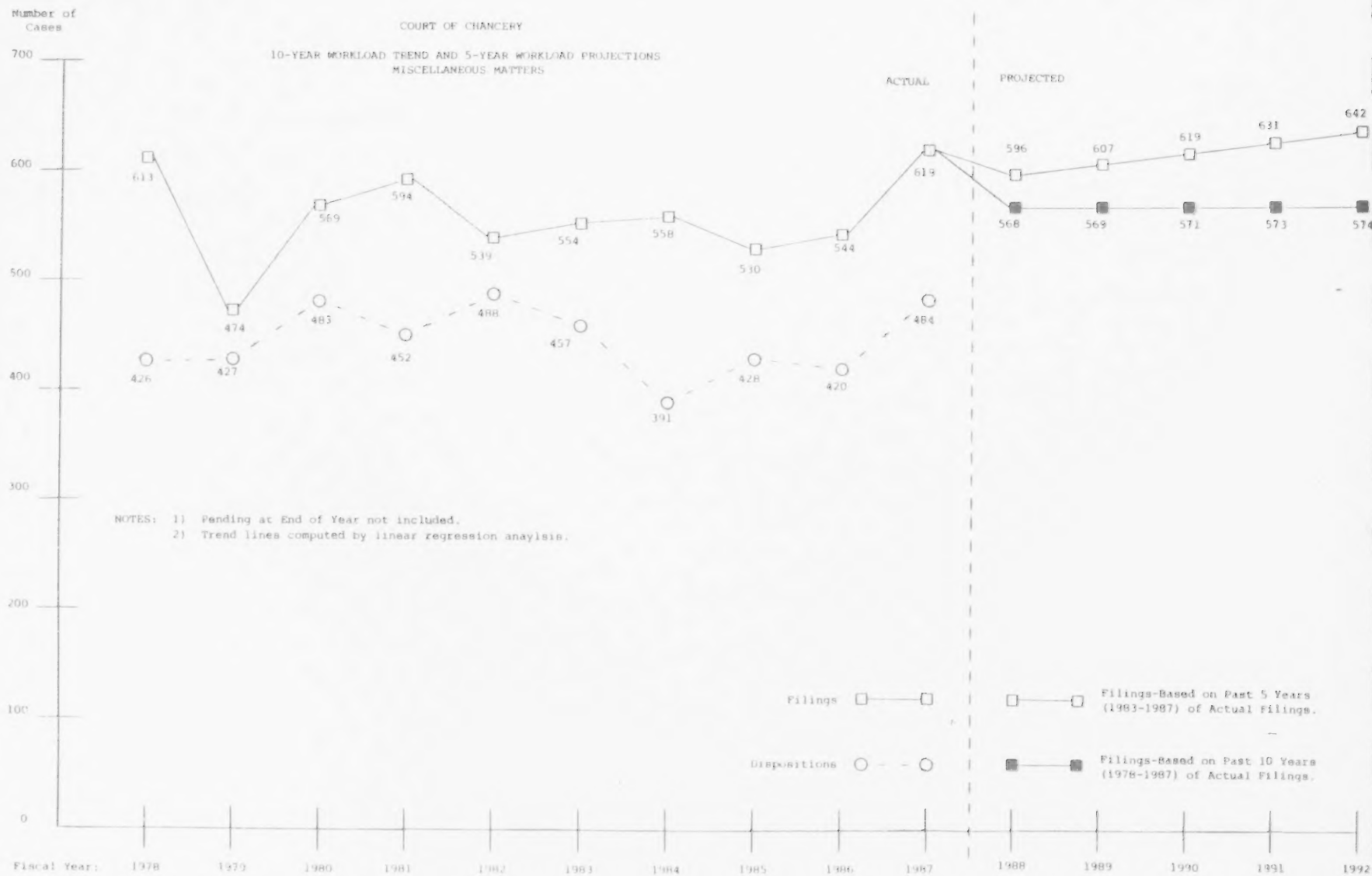
PENDING AT END OF YEAR

	<u>Guardians for Minors</u>	<u>Guardians for Infirm</u>	<u>Trustees for Mentally Ill</u>	<u>Trusts</u>	<u>Other Matters</u>	<u>TOTALS</u>
New Castle	484 15.1%	891 27.9%	160 5.0%	1,243 38.9%	419 13.1%	3,197 100.0%
Kent	273 37.6%	238 32.7%	15 2.1%	176 24.2%	25 3.4%	727 100.0%
Sussex	304 23.7%	105 8.2%	16 1.3%	841 65.6%	16 1.3%	1,282 100.0%
State	1,061 20.4%	1,234 23.7%	191 3.7%	2,260 43.4%	460 8.8%	5,206 100.0%

CHANGE IN PENDING

	<u>Guardians for Minors</u>	<u>Guardians for Infirm</u>	<u>Trustees for Mentally Ill</u>	<u>Trusts</u>	<u>Other Matters</u>	<u>TOTALS</u>
New Castle	+ 55	+ 15	+ 2	- 56	+ 21	+ 37
Kent	- 3	+ 18	0	+ 36	+ 1	+ 52
Sussex	- 1	- 1	0	+ 45	+ 3	+ 46
State	+ 51	+ 32	+ 2	+ 25	+ 25	+135

Source: New Castle County, Kent County, and Sussex County Registers in Chancery



Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1987
ESTATES
WORKLOAD SUMMARY

	<u>Pending 6/30/86</u>	<u>Opened</u>	<u>Closed</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	1,241	1,246	1,175	1,312	+ 71	+ 5.7%
Kent	1,125	305	133	1,297	+172	+15.3%
Sussex	<u>636</u>	<u>476</u>	<u>414</u>	<u>698</u>	<u>+ 62</u>	<u>+ 9.8%</u>
State	3,002	2,027	1,722	3,307	+305	+10.2%

COMPARISON - FISCAL YEARS 1986-1987
ESTATES
WORKLOAD

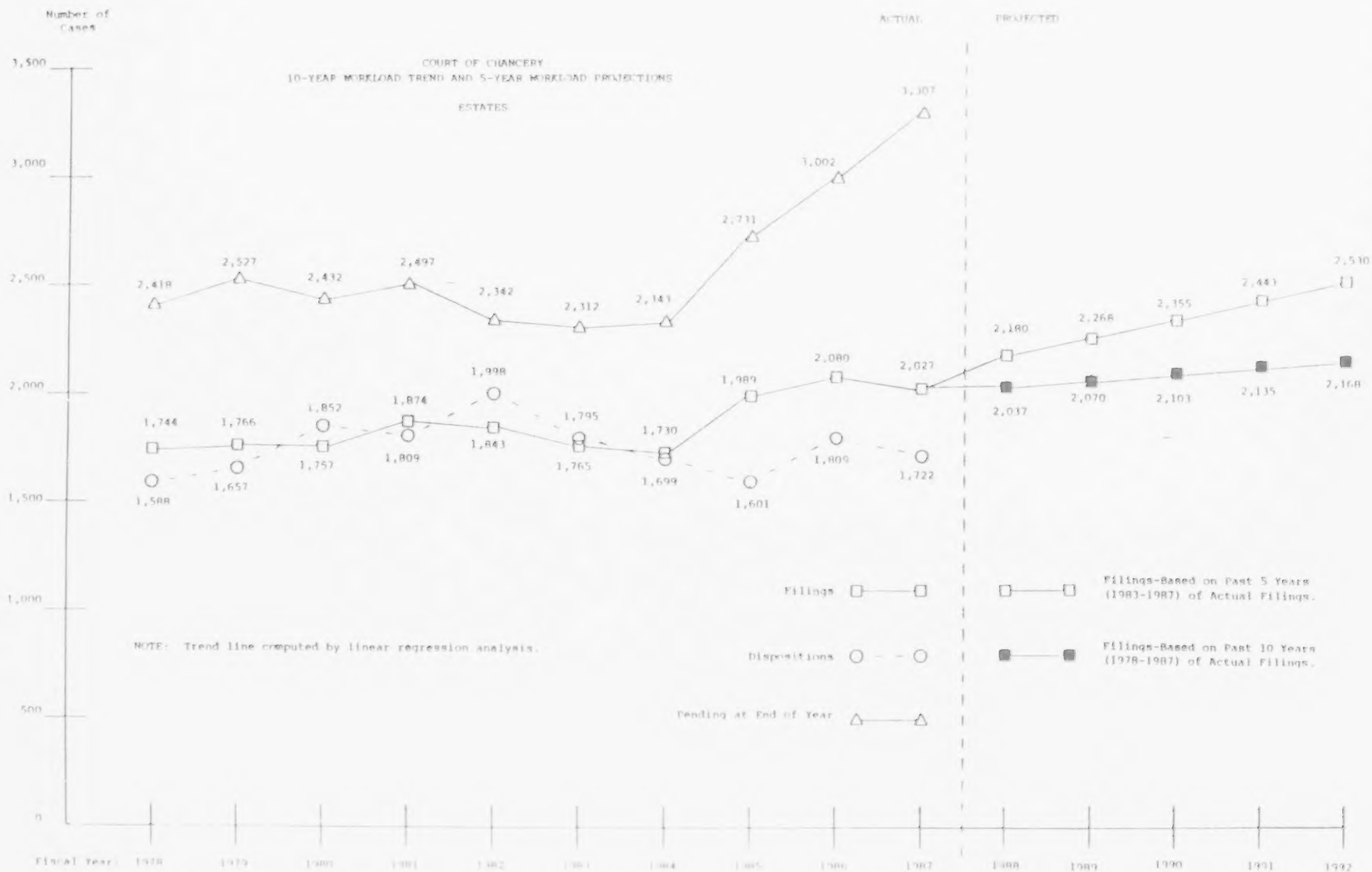
OPENED

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,300	1,246	- 54	- 4.2%
Kent	327	305	- 22	- 6.7%
Sussex	<u>453</u>	<u>476</u>	<u>+ 23</u>	<u>+ 5.1%</u>
State	2,080	2,027	- 53	- 2.6%

CLOSED

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,142	1,175	+ 33	+ 2.9%
Kent	222	133	- 89	-40.1%
Sussex	<u>445</u>	<u>414</u>	<u>- 31</u>	<u>- 7.0%</u>
State	1,809	1,722	- 87	- 4.8%

Source: New Castle County, Kent County, and Sussex County Registers of Wills



Source: Administrative Office of the Courts

Public Guardian

Legal Authorization

The authority for the Office of the Public Guardian is derived from Title 12, §3991, of the Delaware Code, which states that:

"There is established the Office of the Public Guardian. The Chancellor shall appoint the Public Guardian, who shall serve at his pleasure."

Geographic Organization

The Office of the Public Guardian has responsibility for the entire State and presents its petitions for guardianships in the Court of Chancery in all three counties.

Legal Jurisdiction

The powers and duties of the Public Guardian are stated in Title 12, §3992, of the Delaware Code;

"The Public Guardian, when appointed as guardian by Court order, shall:

1. Serve as a guardian for the property of aged, mentally infirm or physically incapacitated persons, pursuant to §3914 of this Title;
2. Serve as a guardian for the person of aged, mentally or physically incapacitated persons where such persons are in danger of substantially endangering their health, or of becoming subject to abuse by other persons, or of becoming the victim of designing persons; or
3. Serve as both guardian of the person and of property of such person."

The legislation creating the Office of the Public Guardian creates a guardianship capability for a person needing a guardian but who does not have a relative, friend, or other person interested in and capable of serving as a guardian, whose estate is insufficient to purchase the services of a private guardian, or who would best be served by a neutral guardian. This has resulted in the Office of the Public Guardian serving as consultant to agencies, attorneys, or families about guardianship matters.

Personnel

The Public Guardian is aided by a staff assistant, one full-time and two part-time caseworkers, and an accounting clerk.

Caseload

There was a total of 120 referrals received by the Office of the Public Guardian during FY 1987 compared with 107 referrals in FY 1986. 16 of the referrals in FY 1987 were determined to need the services of the Public Guardian as a guardian and petitions were presented in the appropriate counties in these cases. The Public Guardian was responsible for 53 wards as of June 30, 1986, which increased to 56 wards as of June 30, 1987.

The remaining 104 referrals during FY 1987 were determined not to need guardianship to resolve their problems and were served by utilizing the resources of other state and private agencies to aid the client, involving the family of the client, helping the client take some voluntary action on his own behalf, or offering counseling to help the client solve his own problems. This is an increase of 14.3% from FY 1986 when there were 91 such referrals.

PUBLIC GUARDIAN

New Castle County

11th Floor
Elbert N. Carvel Delaware State Bldg.
820 North French Street
Wilmington, DE 19801
(571-2990)

Kent County

James Williams State Service Center
805 River Road
Dover, DE 19901
(736-4072)

Sussex County

Laurel State Service Center
111 Mechanic Street
Laurel, DE 19956
(856-5223)

Elections Building
101 Court Street
Dover, DE 19901
(736-5651)

PERSONNEL

Public Guardian

Barbara F. Blevins

Staff Assistant

Barbara A. Wlaker

Caseworker

Patricia E. Gesler

Accounting Clerk

Marilyn Bergeron-Huard

Caseworker

Hugh Waters
(Williams State Service Center)

Caseworker

Karen E. Bounds

Public Guardian

Barbara F. Blevins
(Elections Building)

Surrogate Parent Coordinator

Vacant
(Elections Building)

PUBLIC GUARDIAN

FISCAL YEAR 1987
WORKLOAD SUMMARY

	<u>Pending 6/30/86</u>	<u>New Referrals</u>	<u>Cases Closed</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
Guardianships	53	16	13	56	+ 3	+ 5.7%
Investigations	<u>7</u>	<u>104</u>	<u>99</u>	<u>12</u>	<u>+ 5</u>	<u>+ 71.4%</u>
TOTALS	60	120	112	68	+ 8	+ 13.3%

COMPARISON - FISCAL YEARS 1986-1987
WORKLOAD

New Referrals

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
Guardianships	16	16	0	0.0%
Investigations	<u>91</u>	<u>104</u>	<u>+13</u>	<u>+ 14.3%</u>
TOTALS	107	120	+13	+ 12.2%

Cases Closed

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
Guardianships	9	13	+ 4	+ 44.4%
Investigations	<u>90</u>	<u>99</u>	<u>+ 9</u>	<u>+ 10.0%</u>
TOTALS	99	112	+13	+ 13.1%

Source: Office of the Public Guardian



Superior Court

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, created the Superior Court.

Geographic Organization

Sessions of Superior Court are held in each of the three counties at the county seat.

Legal Jurisdiction

Superior Court has statewide original jurisdiction over criminal and civil cases, except equity cases, over which the Court of Chancery has exclusive jurisdiction. The Court's authority to award damages is not subject to a monetary maximum. The Court hears cases of personal injury, libel and slander, and contract claims. The Court also tries cases involving medical malpractice, legal malpractice, property cases involving mortgage foreclosures, mechanics liens, condemnations, and appeals related to landlord-tenant disputes and appeals from the Automobile Arbitration Board. The Court has exclusive jurisdiction over felonies and drug offenses (except most felonies and drug offenses involving minors and except possession of marijuana cases).

Superior Court has jurisdiction over involuntary commitments of the mentally ill to the Delaware State Hospital. The Court serves as an intermediate appellate court, hearing appeals on the record from the Court of Common Pleas, Family Court (adult criminal), and more than 50 administrative agencies including the Industrial Accident Board, Unemployment Insurance Appeal Board, Alcohol Beverage Control Commission, Tax Appeal Board, Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Alderman's Courts, Justice of the Peace Courts, and Municipal Court are heard on trials de novo (second trials) in Superior Court. Appeals from Superior Court are argued on the record before the Supreme Court. Senate Bill 210, which became effective upon being signed by the Governor on July 13, 1987, changed the route for civil and juvenile delinquency appeals from Family Court to the Supreme Court rather than the past appellate procedure to the Superior Court.

Judges

Number: There are thirteen judges appointed to the Superior Court bench. One judge is appointed President Judge with administrative responsibility for the Court, and three are appointed as Resident Judges and must reside in the county in which they are appointed. No more than a bare majority of the judges may be of one political party; the rest must be of the other major political party.

Appointment: The Governor appoints Superior Court Judges with the consent of the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: The judges must be learned in the law.

Support Personnel

Superior Court may appoint court reporters, law clerks, bailiffs, presentence officers, a secretary for each judge, and other personnel.

An elected Prothonotary for each county serves as Clerk of the Superior Court for that county. The Prothonotary is the record keeper for the Superior Court and is directly involved with the daily operations of the Court. The office handles the jury list, property liens, registration of law students and attorneys, and is the custodian of costs and fees for the courts and for the Attorney General. It issues permits to carry deadly weapons, receives bail, deals with the release of incarcerated prisoners, issues certificates of notary public where applicable, issues certificates of election to elected officials, issues commitments to the State Hospital and collects and distributes restitution monies as ordered by the Court in addition to numerous other duties. It is also charged with the security, care and custody of Courts' exhibits. The Prothonotary Offices became State-funded departments within Superior Court on October 1, 1987.

Elected sheriffs, one per county, also serve Superior Court.

Caseload Trend

There was a 3.8% drop in criminal filings to a total of 4,464 criminal filings in FY 1987 from 4,642 filings in FY 1986. Criminal dispositions increased by 13.4% from 4,172 in FY 1986 to 4,731 in FY 1987. The increase in dispositions while filings decreased led to a 12.0% decrease in criminal pending from 2,234 at the end of FY 1986 to 1,967 criminal pending at the end of FY 1987. The rate of compliance with the 120 Day Speedy Trial Directive fell to 50.2% statewide during FY 1987 from 56.2% in FY 1986. This was due in large part to the 43.6% rate of compliance in New Castle County during FY 1987.

Civil filings increased in each county for the second consecutive year with civil filings statewide rising by 12.2% to 4,565 in FY 1987 from 4,067 in FY 1986. Civil dispositions increased by 3.3% from 3,470 in FY 1986 to 3,584 in FY 1987. Civil pending rose in all counties with a statewide rise of 18.9% from an amended total of 5,189 at the end of FY 1986 to 6,170 at the end of FY 1987.

During FY 1987 there was an increase of 3.7% in total filings to a total of 9,029 filings in FY 1987 from 8,709 in FY 1986. Total dispositions rose by 8.8% to a total of 8,315 during FY 1987 from 7,642 in FY 1986. Since more cases were filed than were disposed of, the total number of cases pending increased by 9.6% from an amended total of 7,423 pending at the end of FY 1986 to 8,137 total pending at the end of FY 1987.

SUPERIOR COURT

JUDICIARY

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

President Judge

Hon. Albert J. Stiftel (D, 8/8/90)

Ann Lafferty, Secretary

(571-2355)

Resident Judge

Hon. Joshua W. Martin, III (R, 6/9/95)

Ann Wallace, Secretary

(571-2544)

Resident Judge

Hon. William G. Bush, III (D, 9/13/96)

Eileen Masino, Secretary

(736-5333)

Resident Judge

Hon. William B. Chandler, III (R, 6/30/98)

Mary Ellen Greenley, Secretary

(856-5257)

Associate Judges

Hon. Vincent A. Bifferato (D, 8/5/92)

Doris Myers, Secretary

(571-2361)

Hon. Vincent J. Poppiti (D, 6/10/95)

Mary Jane DeMatteis, Secretary

(571-2358)

Hon. Clarence W. Taylor (R, 7/1/96)

Barbara Rogers, Secretary

(571-2374)

Hon. Richard S. Gebelein (R, 9/14/96)

Patrice Wheeler, Secretary

(571-2369)

Hon. Bernard Balick (D, 9/30/97)

Ivone Marvel, Secretary

(571-2367)

Hon. John E. Babiarz, Jr. (D, 9/30/97)

Carol Edwards, Secretary

(571-2354)

Vacant

Associate Judge

Hon. Henry duPont Ridgely (R, 9/14/96)

Deborah Martin, Secretary

(736-5331)

Associate Judge

Hon. William S. Lee (R, 6/30/98)

Karen J. Taylor, Secretary

(856-5256)

SUPERIOR COURT

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SUPPORT PERSONNEL

NEW CASTLE COUNTY

Superior Court
Public Building
1020 North King Street
Wilmington, DE 19801

Administrator

Thomas J. Ralston

S. Maureen Golden, Secretary
(571-2380)

Jury Manager

Doris E. Harris
(571-2380)

Administrative Officer

Michael E. Indellini
(571-2376)

Arbitration Coordinator

Felicia C. Jones
(571-2343)

Case Scheduling Office

Arthur W. Birch, Director
(571-2409)

Asbestos Litigation Master

Marc P. Niedzielski

Law Clerks

Lydia F. Anderson
Lee Applebaum
Karen M. Cunningham
Elizabeth Daniello
Carol J. Dulin
Marsha J. Epstein
Carolyn I. Greene
Michael R. Ippoliti
Stephen L. Nowak
Jury Commissioners
Alma C. Allen
Robert S. Chapin

KENT COUNTY

Superior Court
Kent County Courthouse
38 The Green
Dover, DE 19201

Joyce C. DuBour
(736-5353)

Paul E. Bilodeau
Carole E. L. Davis

Wallace F. McFaul, Jr.
John F. McDonald

SUSSEX COUNTY

Superior Court
Sussex County Courthouse
The Circle
Georgetown, DE 19947

Lisa D. Isaacs
(856-5525)

Kim Ayvazian
Jill L. Petersen

Ralton H. Dennis
Milan F. West

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Presentence Officers

William G. Echols, Chief
Cille Andersen
(571-2420)

Court Reporters

Morris D. Pearson, Chief
(571-2390)

Bailiffs

John K. Truitt, Chief

KENT COUNTY

Jesse L. Williams, Chief
(736-5275)

Debra S. Holt
(736-5311)

William R. Staats, Chief

PROTHONOTARIES

NEW CASTLE COUNTY

Prothonotary
Public Building
1020 North King Street
Wilmington, DE 19801
(571-6470)

Prothonotaries

Deborah H. Capano

Chief Deputies

Elizabeth D. Richeson
Sandra Aulman

Deputies

Sharon Agnew
Barbara Hrinak
Edgar Johnson
Wilma McDowell

KENT COUNTY

Prothonotary
Kent County Courthouse
38 The Green
Dover, DE 19901
(736-5328)

Emily G. Morris

Mary Jane Smith

Phyllis Lints

SUSSEX COUNTY

Jana E. Mollahan, Chief
(856-5549)

Eileen G. Kimmel
(856-5596)

Sydney J. Hitchens, Chief

SUSSEX COUNTY

Prothonotary
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-5740)

Lynn W. Moore

Carol B. Thomas
Faith Wilson

SUPERIOR COURT

SHERIFFS

NEW CASTLE COUNTY

Sheriff
Public Building
1020 North King Street
Wilmington, DE 19801
(571-7564, 571-7565)

Sheriffs

Michael P. Walsh

Chief Deputies

Loretta Forsythe-Walsh

Sheriff's Office Administrator

Patricia C. Rappa

Chief Deputy Sheriff

William I. Houghton

KENT COUNTY

Sheriff
Kent County Courthouse
38 The Green
Dover, DE 19901
(736-2160)

Carl M. Wright

SUSSEX COUNTY

Sheriff
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(855-7830)

William L. Jones

Kenneth C. Whaley

SUPERIOR COURT

FISCAL YEAR 1987
CRIMINAL CASES
WORKLOAD SUMMARY

	<u>Number of Defendants</u>					
	<u>Pending</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending</u>	<u>Change In</u>	<u>% Change</u>
	<u>6/30/86</u>			<u>6/30/87</u>	<u>Pending</u>	<u>In Pending</u>
New Castle	1,712	3,232	3,551	1,393	-319	-18.6%
Kent	344	616	563	397	+ 53	+15.4%
Sussex	178	616	617	177	- 1	- 0.6%
State	2,234	4,464	4,731	1,967	-267	-12.0%

COMPARISON - FISCAL YEARS 1986-1987
WORKLOADFILINGS

	<u>Number of Defendants</u>			
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,532	3,232	- 300	- 8.5%
Kent	606	616	+ 10	+ 1.7%
Sussex	504	616	+ 112	+22.2%
State	4,642	4,464	- 178	- 3.8%

DISPOSITIONS

	<u>Number Of Defendants</u>			
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,142	3,551	+409	+13.0%
Kent	546	563	+ 17	+ 3.1%
Sussex	484	617	+133	+27.5%
State	4,172	4,731	+559	+13.4%

Source: Superior Court Case Scheduling Office

SUPERIOR COURT
FISCAL YEAR 1987
CRIMINAL CASES
WORKLOAD
EXPLANATORY NOTES

1. The unit of count in Superior Court criminal cases is the defendant. A defendant is defined as an individual named in an indictment, so that an individual named in 3 indictments is counted as 3 defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day is counted as one defendant.
2. Informations are filed if defendants waive indictment.
3. Transfers are defendants brought before the Court of Common Pleas in New Castle County who request jury trials. Since the Court of Common Pleas in Kent and Sussex Counties itself holds jury trials, there are no transfers in either of those counties.
4. Reinstatements represent defendants who have had their cases disposed of who are brought back before Superior Court for one of the following reasons:
 - Mistrial
 - Hung Jury
 - Motion for new trial granted
 - Guilty plea withdrawn
 - Lower court appeal reinstated after being dismissed
 - Conviction overturned by Supreme Court; remanded to Superior Court for new trial.
5. Severances are defendants indicted on multiple charges whose charges are severed to be tried separately.
6. Trial dispositions refer to the number of defendants whose charges were disposed of at a trial rather than the number of trials. The date of disposition is the trial date. Should the decision be reserved, it will be the date when the opinion is handed down.
7. A defendant is counted as being disposed of by nolle prosequi only if all charges in an indictment or information or all charges transferred or appealed simultaneously are dropped. For example, if a defendant pleads guilty to one charge in an indictment, and other charges in the same indictment are then nol-prossed, that defendant is considered to have been disposed of by guilty plea on the date of the plea.

8. Defendants are not counted as disposed of by nol-pros if the nolle prosequi was filed to an original charge because the defendant entered a guilty plea to a New Information. The New Information is a further action in an existing case and is not counted as a separate filing, so the nol-pros is not the primary disposition.
9. Only nol-pros filed for defendants who were actually brought before Superior Court by indictment, Information, appeal, transfer, reinstatement, or severance are counted in the total number of Superior Court dispositions. Nolle prosequis of unindicted defendants are listed separately because such defendants were never formally before the Superior Court.
10. Unindicted nolle prosequis are felony or drug defendants who were arrested and were bound over to Superior Court by a lower court either because probable cause was found or because the defendant waived preliminary hearing. The Attorney General then decided not to seek indictment or the grand jury ignored the indictment and a nolle prosequi was filed.
11. Remands are defendants who appealed or transferred their cases to Superior Court and had them remanded back to the lower court. ADRR's are cases in which an appeal to Superior Court has been dismissed with the record being remanded to the court from which it came. ADRR's and remands do not constitute the dispositions of all appeals that are filed; some are disposed of by trial de novo, plea, or nolle prosequi.
12. A consolidation represents a single individual who is indicted separately on different charges but whose charges are consolidated to be tried together. Thus an individual indicted in January and again in February, and who is counted as two filings, will receive one trial disposition and one consolidation disposition if the charges are tried together.
13. Participation in the First Offender Program is limited to defendants who are charged with driving under the influence or select drug possession charges and are first-time offenders. The defendants choose to enroll in a rehabilitation program and waive their right to a speedy trial in the process. The charge is dropped once the defendant satisfactorily completes the program and pays all fees.

SUPERIOR COURT
FISCAL YEAR 1987
CRIMINAL CASES
WORKLOAD BREAKDOWNS

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FILINGS

	Number of Defendants Brought to Superior Court By:								TOTALS					
	Indictment		Information		Appeal		Transfer				Reinstatement	Severance		
New Castle	2,468	76.4%	34	1.1%	149	4.6%	545	16.9%	31	1.0%	5	0.1%	3,232	100.0%
Kent	573	93.0%	31	5.0%	8	1.3%	0	0.0%	2	0.3%	2	0.3%	616	100.0%
Sussex	139	22.6%	473	76.8%	2	0.3%	0	0.0%	2	0.3%	0	0.0%	616	100.0%
State	3,180	71.2%	538	12.1%	159	3.6%	545	12.2%	35	0.8%	7	0.2%	4,464	100.0%

DISPOSITIONS

	Number of Defendants Disposed of By:																	
	Trial		Guilty Plea		Nolle Prosequi		Dismissal	ADRR	Remand or Transfer	First Offender			Consolidation	TOTALS				
New Castle	257	7.2%	2,292	64.6%	853	24.0%	26	0.7%	24	0.7%	4	0.1%	95	2.7%	0	0.0%	3,551	100.0%
Kent	23	4.1%	445	79.1%	94	16.7%	1	0.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	563	100.0%
Sussex	27	4.4%	455	73.7%	115	18.6%	2	0.3%	1	0.2%	6	1.0%	11	1.8%	0	0.0%	617	100.0%
State	307	6.5%	3,192	67.5%	1,062	22.4%	29	0.6%	25	0.5%	10	0.2%	106	2.3%	0	0.0%	4,731	100.0%

PENDING AT END OF YEAR

	Number of Defendants		Non-Triable	TOTALS
	Triable			
New Castle	1,020 73.2%		373 26.8%	1,393 100.0%
Kent	142 35.8%		255 64.2%	397 100.0%
Sussex	109 61.6%		68 38.4%	177 100.0%
State	1,271 64.6%		696 35.4%	1,967 100.0%

CHANGE IN PENDING

	Number of Defendants		Non-Triable	TOTALS
	Triable			
New Castle	-304		- 15	-319
Kent	+ 50		+ 3	+ 53
Sussex	+ 7		- 8	- 1
State	-247		- 20	-267

ADRR = Appeal Dismissed, Record Remanded

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

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FISCAL YEAR 1987
CRIMINAL CASES
TYPES OF DISPOSITIONS

TRIAL DISPOSITIONS - PART ONE

		<u>Number of Defendants Disposed of By:</u>							
		<u>Jury Trial</u>		<u>Non-Jury Trial</u>	<u>TOTALS</u>	<u>Guilty</u>	<u>Not Guilty*</u>	<u>No Final Dispositions**</u>	<u>TOTALS</u>
New Castle	243	94.6%	14	5.4%	257 100.0%	167 65.0%	56 21.8%	34 13.2%	257 100.0%
Kent	23	100.0%	0	0.0%	23 100.0%	15 65.2%	4 17.4%	4 17.4%	23 100.0%
Sussex	15	55.6%	12	44.4%	27 100.0%	21 77.8%	6 22.2%	0 0.0%	27 100.0%
State	281	91.5%	26	8.5%	307 100.0%	203 66.1%	66 21.5%	38 12.4%	307 100.0%

TRIAL DISPOSITIONS - PART TWO

Number of Defendants Disposed of By:

		<u>Jury Trial</u>						<u>Non-Jury Trial</u>						<u>TOTALS</u>
		<u>Guilty</u>	<u>Guilty LIO</u>	<u>Not Guilty</u>	<u>Nolle Prosequi At Trial</u>	<u>Dismissed At Trial</u>	<u>Mistrial</u>	<u>Hung Jury</u>	<u>Guilty</u>	<u>Guilty LIO</u>	<u>Not Guilty</u>	<u>Nolle Prosequi At Trial</u>	<u>Dismissed At Trial</u>	<u>Mistrial</u>
New Castle	142	16	43	6	3	15	18	9	0	2	0	2	1	257
Kent	14	1	4	0	0	4	0	0	0	0	0	0	0	23
Sussex	12	0	3	0	0	0	0	6	3	2	0	1	0	27
State	168	17	50	6	3	19	18	15	3	4	0	3	1	307

LIO = Lesser Included Offense

*Includes Dismissals at Trial and Nolle Prosequis at Trial

**Hung Juries and Mistrials

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

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CRIMINAL CASES
TYPES OF DISPOSITIONS
GUILTY PLEA DISPOSITIONSFelony

	PG-Original	PG-Lesser	PG-NI	PG-Information	TOTALS
New Castle	757 75.2%	205 20.4%	24 2.4%	21 2.5%	1,007 100.0%
Kent	181 82.6%	28 12.8%	3 1.4%	7 3.2%	219 100.0%
Sussex	212 75.2%	68 24.1%	2 0.7%	0 0.0%	282 100.0%
State	1,150 76.3%	301 20.0%	29 1.9%	28 1.9%	1,508 100.0%

Misdemeanor

	PG-Original	PG-Lesser	PG-NI	PG-Information	TOTALS
New Castle	279 21.7%	590 45.9%	112 8.7%	304 23.7%	1,285 100.0%
Kent	76 33.6%	126 55.8%	9 4.0%	15 6.6%	226 100.0%
Sussex	91 52.6%	79 45.7%	3 1.7%	0 0.0%	173 100.0%
State	446 25.5%	795 47.2%	124 7.4%	319 18.9%	1,684 100.0%

GUILTY PLEA TOTALS

	PG-Original	PG-Lesser	PG-NI	PG-Information	TOTALS
New Castle	1,036 45.2%	795 34.7%	136 5.9%	325 14.2%	2,292 100.0%
Kent	257 57.8%	154 34.6%	12 2.7%	22 4.9%	445 100.0%
Sussex	303 66.6%	147 32.3%	5 1.1%	0 0.0%	455 100.0%
State	1,596 50.0%	1,096 34.3%	153 4.8%	347 10.9%	3,192 100.0%

EXPLANATORY NOTES

1. Guilty plea dispositions do not include pleas made during trials. They are included in the trial disposition totals.
2. "PG-Original" includes defendants who pled guilty to all charges or to the major charge of a multi-count indictment, appeal, transfer, or reinstatement.
3. "PG-Lesser" includes defendants who pled guilty to a lesser included offense of the most serious charge, a less serious charge of a multi-count indictment or other filings, or a lesser included offense of a less serious charge of a multi-count indictment or other filing.
4. "PG-NI" indicates that a defendant pled guilty to a new information - always a less serious charge than the original one.
5. "PG-Information" denotes a defendant who waived indictment and pled guilty to an information filed by the Attorney General.
6. A plea of nolo contendere is considered to be the equivalent of a guilty plea; e.g., a plea of nolo contendere to a lesser included offense is counted with the PG-Lesser.

Source: Superior Court Case Scheduling Office.

SUPERIOR COURT
FISCAL YEAR 1987
CRIMINAL CASES
TYPES OF DISPOSITIONS

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NOLLE PROSEQUI DISPOSITIONS - PART ONE*

	Number of Defendants With Nolle Prosequis By Special Condition	Number of Defendants With Nolle Prosequis By Merit	Total Number of Defendants Disposed Of By Nolle Prosequi
New Castle	416 48.8%	437 51.2%	853 100.0%
Kent	37 39.4%	57 60.6%	94 100.0%
Sussex	31 27.0%	84 73.0%	115 100.0%
State	484 45.6%	578 54.4%	1,062 100.0%

NOLLE PROSEQUI DISPOSITIONS - PART TWO*

	Number of Defendants with Nolle Prosequis by Special Condition									Number of Defendants with Nolle Prosequis by Merit														
	Guilty of Other Charges, Different Indictment	Disposed of in Other Court		Reindicted	Placed on AG's Probation		Made Restitution	Placed in Custody of Other Jurisdiction		Indicted on Other Charges	W/O Prejudice	Miscellaneous	Codefendant Guilty	Police Problems	Defense Valid	Prosecutive Merit	Victim/Witness Availability/ Deceased		Victim/Witness Attitude/ Credibility	Related to Indictment	Insufficient Evidence	Due Process	Miscellaneous	TOTALS
New Castle	63	59	112	61	20	2	5	2	92	15	2	6	133	79	64	14	118	1	5	853				
Kent	7	8	4	9	7	0	0	2	0	1	0	0	14	7	5	1	29	0	0	94				
Sussex	18	5	0	73	3	0	1	0	1	0	0	4	22	10	12	1	34	0	1	115				
State	88	72	116	73	30	2	6	4	93	16	2	10	169	96	81	16	181	1	6	1,062				

*Nolle Prosequis for indicted defendants only.

AG = Attorney General

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

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CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE
NEW CASTLE COUNTY

		Number of Defendants Disposed of By:							
	Trial	Guilty					Remand/	First	
Offense	G-NG-NFD	Plea	NP	Dismissal	ADRR	Transfer	Offender	TOTALS	
<u>Crimes of Violence</u>									
Murder 1st	5- 1- 0	9	2	0	0	0	0	17	
Murder 2nd	0- 1- 0	2	9	0	0	0	0	12	
Manslaughter	1- 0- 0	5	0	0	0	0	0	6	
Attempted Murder 1st	6- 0- 1	11	4	0	0	0	0	22	
Assault 1st	6- 2- 0	26	13	0	0	0	0	47	
Assault 2nd	2- 4- 1	49	33	1	0	0	0	90	
Rape 1st	11- 0- 0	34	16	0	0	0	0	61	
Rape 2nd	0- 0- 1	16	7	0	0	0	0	24	
Sodomy 1st/2nd	1- 0- 0	4	1	0	0	0	0	6	
Kidnapping 1st/2nd	2- 1- 0	13	11	0	0	0	0	27	
Robbery 1st	17- 4- 5	73	37	2	0	0	0	138	
Robbery 2nd	5- 0- 0	50	22	0	0	0	0	77	
<u>Drug Offenses</u>									
Delivery	21- 5- 4	182	40	1	0	0	4	257	
Possession w/Intent to Deliver	13- 1- 3	181	33	1	0	0	1	233	
Possession NN Schedule I	0- 0- 0	8	3	0	0	0	5	16	
Other Drug Offenses	1- 0- 0	103	47	0	0	0	52	203	
<u>Remaining Indicted Offenses</u>									
All Forgery	3- 1- 0	157	37	0	0	0	0	198	
Theft/RSP/Burglary	28-14- 9	638	202	0	2	0	0	893	
Weapons Offenses	2- 8- 0	182	56	2	0	0	0	250	
Other	8- 3- 5	263	111	9	0	1	0	400	
<u>Appeals and Transfers</u>									
DUI/CUI	25- 5- 3	140	14	4	8	1	33	233	
Other Traffic Offenses	4- 3- 1	69	50	3	5	0	0	135	
Non-Traffic Offenses	6- 3- 1	77	105	3	9	2	0	206	
TOTALS	167-56-34	2,292	853	26	24	4	95	3,551	

ADRR = Appeal Dismissed, Record Remanded

DUI/CUI = Driving Under the Influence/Control Under
the Influence

G = Guilty

NFD = No Final Disposition (Hung Juries and Mistrials)

NG = Not Guilty (includes Dismissals at Trial and
Nolle Prosequis at Trial)

NN = Non-Narcotic

NP = Nolle Prosequi

RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT
FISCAL YEAR 1987
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

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KENT COUNTY

<u>Offense</u>	<u>Trial</u> <u>G-NG-NFD</u>	<u>Guilty</u> <u>Plea</u>	<u>NP</u>	<u>Dismissal</u>	<u>ADRR</u>	<u>Remand/</u> <u>Transfer</u>	<u>First</u> <u>Offender</u>	<u>TOTALS</u>
<u>Crimes of Violence</u>								
Murder 1st	2-0-0	2	1	0	0	0	0	5
Murder 2nd	0-1-0	0	0	0	0	0	0	1
Manslaughter	0-0-0	0	0	0	0	0	0	0
Attempted Murder 1st	0-0-0	4	0	0	0	0	0	4
Assault 1st	0-1-0	10	5	0	0	0	0	16
Assault 2nd	0-0-0	26	1	0	0	0	0	27
Rape 1st	2-0-0	4	2	0	0	0	0	8
Rape 2nd	1-0-0	8	2	0	0	0	0	11
Sodomy 1st/2nd	0-0-0	0	1	0	0	0	0	1
Kidnapping 1st/2nd	0-0-1	3	2	0	0	0	0	6
Robbery 1st	4-0-0	7	10	0	0	0	0	21
Robbery 2nd	0-0-0	3	2	0	0	0	0	5
<u>Drug Offenses</u>								
Delivery	0-0-1	17	3	0	0	0	0	21
Possession w/Intent to Deliver	0-0-0	9	2	0	0	0	0	11
Possession NN Schedule 1	0-0-0	2	0	0	0	0	0	2
Other Drug Offenses	1-0-0	24	4	0	0	0	0	29
<u>Remaining Indicted Offenses</u>								
All Forgery	0-0-0	63	13	0	0	0	0	76
Theft/RSP/Burglary	2-2-2	148	24	1	0	0	0	179
Weapons Offenses	1-0-0	55	12	0	0	0	0	68
Other	1-0-0	57	10	0	0	0	0	68
<u>Appeals and Transfers</u>								
DUI/CUI	1-0-0	2	0	0	0	0	0	3
Other Traffic Offenses	0-0-0	0	0	0	0	0	0	0
Non-Traffic Offenses	0-0-0	1	0	0	0	0	0	1
TOTALS	15-4-4	445	94	1	0	0	0	563

ADRR = Appeal Dismissed, Record Remanded

DUI/CUI = Driving Under the Influence/Control Under the Influence

G = Guilty

NFD = No Final Disposition (Hung Juries and Mistrials)

NG = Not Guilty - (Includes Dismissals at Trial and Nolle Prosequis at Trial)

NN = Non-Narcotic

NP = Nolle Prosequi

RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT
FISCAL YEAR 1987
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

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SUSSEX COUNTY

<u>Offense</u>	<u>Trial</u> <u>G-NG-NFD</u>	<u>Guilty</u> <u>Plea</u>	<u>NP</u>	<u>Dismissal</u>	<u>ADRR</u>	<u>Remand/ Transfer</u>	<u>First Offender</u>	<u>TOTALS</u>
<u>Crimes of Violence</u>								
Murder 1st	0- 0-0	2	0	0	0	0	0	2
Murder 2nd	0- 0-0	1	0	0	0	0	0	1
Manslaughter	0- 0-0	1	0	0	0	0	0	1
Attempted Murder 1st	0- 0-0	2	0	0	0	0	0	2
Assault 1st	1- 0-0	14	0	0	0	0	0	15
Assault 2nd	1- 0-0	19	8	0	0	0	0	28
Rape 1st	2- 1-0	11	1	0	0	0	0	15
Rape 2nd	0- 0-0	1	1	0	0	0	0	2
Sodomy 1st/2nd	1- 0-0	0	0	0	0	0	0	1
Kidnapping 1st/2nd	2- 0-0	0	0	0	0	0	0	2
Robbery 1st	0- 0-0	14	4	0	0	0	0	18
Robbery 2nd	0- 0-0	5	1	0	0	0	0	6
<u>Drug Offenses</u>								
Delivery	0- 0-0	19	6	0	0	0	0	25
Possession w/Intent to Deliver	0- 0-0	9	4	0	0	0	0	13
Possession NN Schedule I	0- 1-0	5	2	0	0	0	3	11
Other Drug Offenses	0- 0-0	16	6	0	0	0	1	23
<u>Remaining Indicted Offenses</u>								
All Forgery	0- 0-0	17	4	0	0	0	0	21
Theft/RSP/Burglary	7- 0-0	169	44	1	0	2	0	223
Weapons Offenses	0- 0-0	9	7	0	0	0	0	16
Other	6- 1-0	114	23	1	0	4	0	149
<u>Appeals and Transfers</u>								
DUI/CUI	1- 2-0	21	3	0	0	0	7	34
Other Traffic Offenses	0- 1-0	6	1	0	1	0	0	9
Non-Traffic Offenses	0- 0-0	0	0	0	0	0	0	0
TOTALS	21- 6-0	455	115	2	1	6	11	617

ADRR = Appeal Dismissed, Record Remanded

DUI/CUI = Driving Under the Influence/Control Under
the Influence

G = Guilty

NFD = No Final Disposition (Hung Juries and Mistrials)

NG = Not Guilty (Includes Dismissals at Trial
and Nolle Prosequis at Trial)

NN = Non-Narcotic

NP = Nolle Prosequi

RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT
FISCAL YEAR 1987
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE

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STATE

Offense	Number of Defendants Disposed of By:						First Offender	TOTALS
	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer		
<u>Crimes of Violence</u>								
Murder 1st	7- 1- 0	13	3	0	0	0	0	24
Murder 2nd	0- 2- 0	3	9	0	0	0	0	14
Manslaughter	1- 0- 0	6	0	0	0	0	0	7
Attempted Murder 1st	6- 0- 1	17	4	0	0	0	0	28
Assault 1st	7- 3- 0	50	18	0	0	0	0	78
Assault 2nd	3- 4- 1	94	42	1	0	0	0	145
Rape 1st	15- 1- 0	49	19	0	0	0	0	84
Rape 2nd	1- 0- 1	25	10	0	0	0	0	37
Sodomy 1st/2nd	2- 0- 0	4	2	0	0	0	0	8
Kidnapping 1st/2nd	4- 1- 1	16	13	0	0	0	0	35
Robbery 1st	21- 4- 5	94	51	2	0	0	0	177
Robbery 2nd	5- 0- 0	58	25	0	0	0	0	88
<u>Drug Offenses</u>								
Delivery	21- 5- 5	218	49	1	0	0	4	303
Possession w/Intent to Deliver	13- 1- 3	199	39	1	0	0	1	257
Possession NN Schedule I	0- 1- 0	15	5	0	0	0	8	29
Other Drug Offenses	2- 0- 0	143	57	0	0	0	53	255
<u>Remaining Indicted Offenses</u>								
All Forgery	3- 1- 0	237	54	0	0	0	0	295
Theft/RSP/Burglary	37-16-11	955	270	2	2	2	0	1,295
Weapons Offenses	3- 8- 0	246	75	2	0	0	0	334
Other	15- 4- 5	434	144	10	0	5	0	617
<u>Appeals and Transfers</u>								
DUI/CUI	27- 7- 3	163	17	4	8	1	40	270
Other Traffic Offenses	4- 4- 1	75	51	3	6	0	0	144
Non-Traffic Offenses	6- 3- 1	78	105	3	9	2	0	207
TOTALS	203-66-38	3,192	1,062	29	25	10	106	4,731

ADRR = Appeal Dismissed, Record Remanded

DUI/CUI = Driving Under the Influence/Control Under
the Influence

G = Guilty

NFD = No Final Disposition (Hung Juries and Mistrials)

NG = Not Guilty (includes Dismissals at Trial
and Nolle Prosequi at Trial)

NN = Non-Narcotic

NP = Nolle Prosequi

RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT
FISCAL YEAR 1987
CRIMINAL CASES
TRIAL CALENDAR ACTIVITY

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	<u>Total Number Of Defendants Scheduled</u>	<u>Number of Defendants Rescheduled</u>	<u>Percentage of Defendants - Rescheduled</u>	<u>Rescheduled At Defense Request</u>	<u>Rescheduled At Prosecution Request</u>	<u>Rescheduled At Mutual Request</u>	<u>Rescheduled At Court Request</u>
New Castle	4,049	1,646	40.7%	772 46.9%	462 28.1%	245 14.9%	167 10.1%
Kent	673	433	64.3%	149 34.4%	129 29.8%	127 29.3%	28 6.5%
Sussex	<u>657</u>	<u>268</u>	<u>40.8%</u>	<u>146 54.5%</u>	<u>56 20.9%</u>	<u>20 7.5%</u>	<u>46 17.2%</u>
State	5,379	2,347	43.6%	1,067 45.5%	647 27.6%	392 16.7%	241 10.3%

COMPARISON - FISCAL YEARS 1986-1987
CALENDAR ACTIVITY

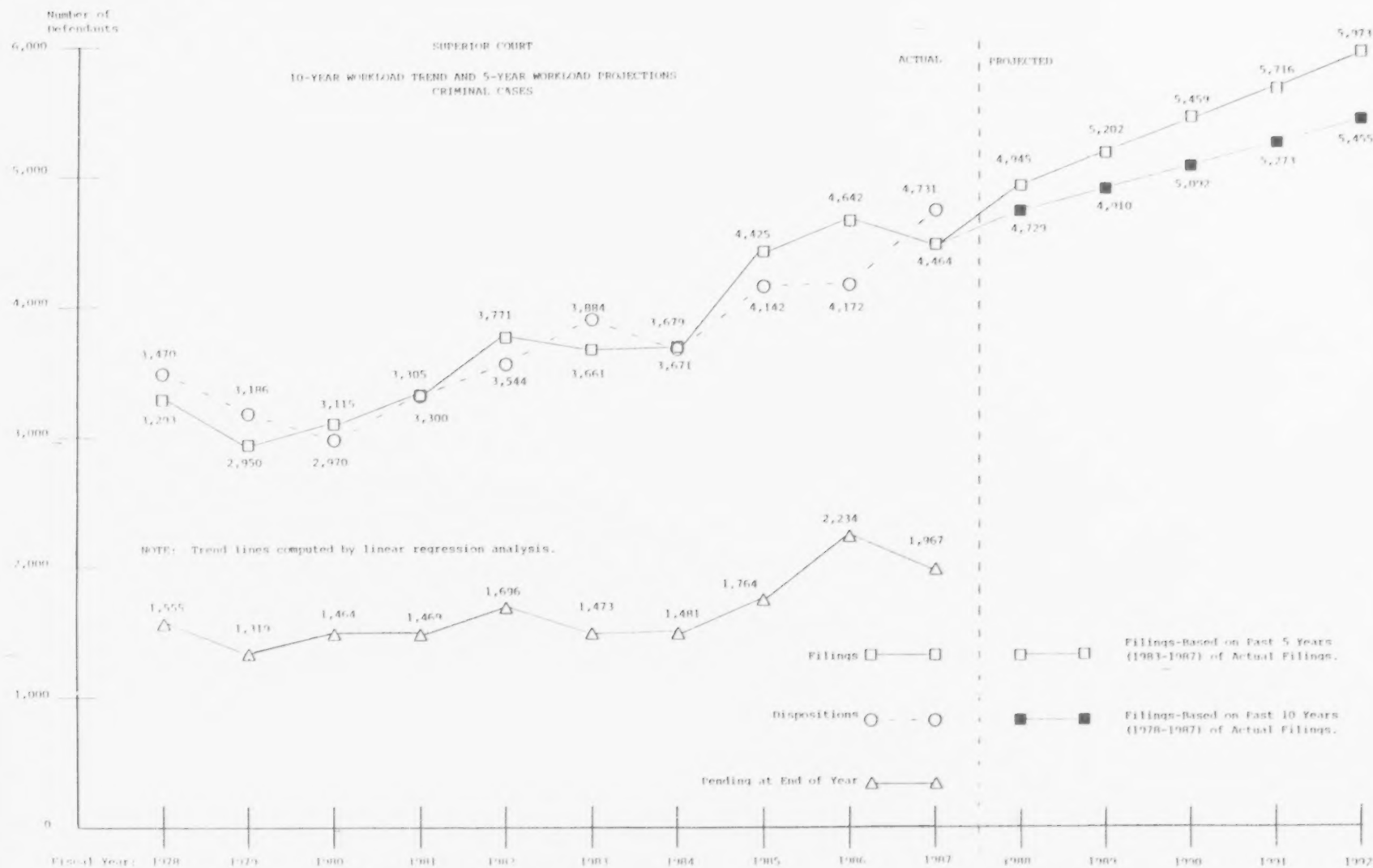
SCHEDULED

	<u>Number of Defendants</u>			
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,480	4,049	+ 569	+ 16.4%
Kent	587	673	+ 86	+ 14.7%
Sussex	<u>497</u>	<u>657</u>	<u>+ 160</u>	<u>+ 32.2%</u>
State	4,564	5,379	+ 815	+ 17.9%

RESCHEDULED

	<u>Number of Defendants</u>			
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,542	1,646	+ 104	+ 6.7%
Kent	346	433	+ 87	+ 25.1%
Sussex	<u>210</u>	<u>268</u>	<u>+ 58</u>	<u>+ 27.6%</u>
State	2,098	2,347	+ 249	+ 11.9%

Source: Superior Court Case Scheduling Office



Source: Administrative Office of the Courts

SUPERIOR COURT
FISCAL YEAR 1987
CRIMINAL CASES
PERFORMANCE SUMMARY

	<u>Total Number of Defendants Disposed of</u>	<u>Average Time From Arrest to Disposition</u>	<u>Median Time from Arrest to Disposition*</u>	<u>Average Time from Indictment/Information to Disposition#</u>	<u>Median Time from Indictment/Information to Disposition*#</u>
New Castle	3,551	161.9 days	136.6 days	131.5 days	100.4 days
Kent	563	104.8 days	81.2 days	65.8 days	38.7 days
Sussex	617	111.8 days	89.5 days	79.2 days	60.9 days
State	4,731	148.6 days	123.9 days	116.8 days	87.9 days

COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

	<u>Number of Defendants Disposed of Within 120 Days of Arrest</u>	<u>Number of Defendants Disposed of 121 Days or More After Arrest</u>	<u>Total Number of Defendants Disposed of</u>
New Castle	1,548 43.6%	2,003 56.4%	3,551 100.0%
Kent	405 71.9%	158 28.1%	563 100.0%
Sussex	423 68.6%	194 31.4%	617 100.0%
State	2,376 50.2%	2,355 49.8%	4,731 100.0%

*Calculated using grouped medians method.

#Includes only defendants brought to Superior Court by indictment or information.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT
FISCAL YEAR 1987
CRIMINAL CASES
PERFORMANCE
EXPLANATORY NOTES

1. The Speedy Trial Directive of Chief Justice Daniel L. Herrmann states that all criminal defendants brought before Superior Court should be tried within 120 days of arrest.
2. The charts measure the average and median time intervals between arrest and disposition, and the average and median time intervals between indictment/information and disposition. Subtracting the figures for indictment/information to disposition from the figures for arrest to disposition would not determine the time from arrest to indictment/information exactly. This is because there may be a different number of cases being counted in the different categories (i.e., unindicted nolle prosequis).
3. In measuring the elapsed time of defendants for the purposes of computing compliance with speedy trial directives or average elapsed time, Superior Court excludes the following time intervals:
 - a. For all capias, the time between the date the capias is issued and the date the capias is executed.
 - b. For all Rule 9 Summonses and Rule 9 Warrants, the time between arrest and indictment/information, if any.
 - c. For all nolle prosequis, the time between the scheduled trial date and the actual filing date of the nolle prosequi.

SUPERIOR COURT

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PRESENTENCE OFFICE
WORKLOAD SUMMARY

	Pending* 6/30/86	Investigations Ordered	Investigations** Completed	Pending* 6/30/87	Change In Pending	% Change In Pending
New Castle	234	1,157	1,113	278	+ 44	+ 18.8%
Kent***	33	309	318	24	- 9	- 27.3%
Sussex***	112	222	233	101	- 11	- 9.8%
State	379	1,688	1,664	403	+ 24	+ 6.3%

COMPARISON - FISCAL YEARS 1986-1987
PRESENTENCE OFFICE
WORKLOADINVESTIGATIONS ORDERED

	1986	1987	Change	% Change
New Castle	1,251	1,157	- 94	- 7.5%
Kent***	304	309	+ 5	+ 1.7%
Sussex***	257	222	- 35	-13.6%
State	1,812	1,688	-124	- 6.9%

INVESTIGATIONS COMPLETED**

	1986	1987	Change	% Change
New Castle	1,384	1,113	- 271	-19.6%
Kent***	327	318	- 9	- 2.8%
Sussex***	184	233	+ 49	+26.6%
State	1,895	1,664	- 231	-12.2%

*A pending investigation is one which has been ordered but has not yet been been written and typed or otherwise closed (i.e. deceased defendant, motion for new trial granted, etc.).

**An investigation is completed when it has been both written and typed or has been otherwise closed (i.e. deceased defendant, motion for new trial granted, etc.).

***The Kent County and Sussex County Presentence Offices do investigations for both Superior Court and Court of Common Pleas. These figures reflect Superior Court investigations.

Source: Superior Court Presentence Offices: New Castle, Kent and Sussex Counties.

SUPERIOR COURT

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=72=FISCAL YEAR 1987
PRESENTENCE OFFICE

PERFORMANCE SUMMARY

	Number of Defendants Sentenced After Presentence Investigations	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced*
New Castle	1,040	41.3 days	5.5 days	46.8 days	51.2 days	98.0 days
Kent	276	54.3	16.4	70.7	51.2	121.9
Sussex	219	140.5	1.6	142.1	27.1	169.2
State	1,535	57.8 days	6.9 days	64.7 days	47.8 days	112.5 days

COMPLIANCE WITH 30-DAY STANDARD**

	Number of Investigations Completed Within 30 Days of Verdict	Number of Investigations Completed 31 Days or More After Verdict	Total Number of Investigations Completed
New Castle	205 18.4%	908 81.6%	1,113 100.0%
Kent	56 17.6%	262 82.4%	318 100.0%
Sussex	7 3.0%	226 97.0%	233 100.0%
State	268 16.1%	1,396 83.9%	1,664 100.0%

*These figures are gross elapsed time from the date the presentence investigation was ordered to the defendant's sentencing date. If all the time the sentencings were delayed due to capiases, continuances, and motions was subtracted from these figures, the net average elapsed times for presentence investigations from the date ordered to the date sentenced would be as follows:

New Castle	72.1 days
Kent	109.9 days
Sussex	Not Available
State	Not Available

**The Speedy Trial Directive of Chief Justice Daniel L. Herrmann includes a standard that the time from the Court's verdict to the completion of the presentence investigation should not exceed 30 days. A presentence investigation is considered to be completed once it has been written and typed or otherwise closed (i.e., motion granted, defendant deceased, etc.).

Source: New Castle County, Kent County, and Sussex County Presentence Offices;
Administrative Office of the Courts

SUPERIOR COURT

PAGE
=73=COMPARISON - FISCAL YEARS 1986-1987
PRESENTENCE OFFICE
PERFORMANCE

<u>NEW CASTLE COUNTY</u>				
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	1,517	1,040	-477	- 31.4%
Average Time From Date Ordered to Date Written	50.0 days	41.3 days	- 8.7 days	- 17.4%
Average Time From Date Written to Date Typed	8.1 days	5.5 days	- 2.6 days	- 32.1%
Average Time From Date Ordered to Date Typed	58.0 days	46.8 days	- 11.2 days	- 19.3%
Average Time From Date Typed to Date Sentenced	60.9 days	51.2 days	- 9.7 days	- 15.9%
Average Time From Date Ordered to Date Sentenced	119.0 days	98.0 days	- 21.0 days	- 17.6%
<u>KENT COUNTY*</u>				
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	328	276	- 52	- 15.9%
Average Time From Date Ordered to Date Written	49.3 days	54.3 days	+ 5.0 days	+ 10.1%
Average Time From Date Written to Date Typed	3.6 days	16.4 days	+ 12.8 days	+355.6%
Average Time From Date Ordered to Date Typed	52.9 days	70.7 days	+ 17.8 days	+ 33.6%
Average Time From Date Typed to Date Sentenced	40.2 days	51.2 days	+ 11.0 days	+ 27.4%
Average Time From Date Ordered to Date Sentenced	93.0 days	121.9 days	+ 28.9 days	+ 31.1%
<u>SUSSEX COUNTY*</u>				
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	188	219	+ 31	+ 16.5%
Average Time From Date Ordered to Date Written	86.8 days	140.5 days	+ 53.7 days	+ 61.9%
Average Time From Date Written to Date Typed	2.4 days	1.6 days	- 0.8 days	- 33.3%
Average Time From Date Ordered to Date Typed	89.2 days	142.1 days	+ 52.9 days	+ 59.3%
Average Time From Date Typed to Date Sentenced	30.3 days	27.1 days	- 3.2 days	- 10.6%
Average Time From Date Ordered to Date Sentenced	119.5 days	169.2 days	+ 49.7 days	+ 41.6%
<u>STATE*</u>				
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	2,033	1,535	-498	- 24.5%
Average Time From Date Ordered to Date Written	53.3 days	57.8 days	+ 4.5 days	+ 8.4%
Average Time From Date Written to Date Typed	6.8 days	6.9 days	+ 0.1 days	+ 1.5%
Average Time From Date Ordered to Date Typed	60.1 days	64.7 days	+ 4.6 days	+ 7.7%
Average Time From Date Typed to Date Sentenced	54.8 days	47.8 days	- 7.0 days	- 12.8%
Average Time From Date Ordered to Date Sentenced	114.8 days	112.5 days	- 2.3 days	- 2.0%

*Kent County and Sussex County Presentence Offices also do investigations for the Court of Common Pleas. These figures are for Superior Court only.

Source: New Castle County, Kent County, and Sussex County Presentence Offices;
Administrative Office of the Courts

SUPERIOR COURT
FISCAL YEAR 1987
CIVIL CASES
WORKLOAD SUMMARY

	<u>Pending 6/30/86</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	3,943	3,513	2,884	4,572	+629	+16.0%
Kent	834*	493	319	1,008	+174	+20.8%
Sussex	412*	559	381	590	+178	+43.2%
State	5,189*	4,565	3,584	6,170	+981	+18.9%

COMPARISON - FISCAL YEARS 1986-1987
CIVIL CASES
WORKLOAD

FILINGS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,154	3,513	+359	+11.4%
Kent	455	493	+ 38	+ 8.4%
Sussex	458	559	+101	+22.1%
State	4,067	4,565	+498	+12.2%

DISPOSITIONS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,686	2,884	+198	+ 7.4%
Kent	396	319	- 77	-19.4%
Sussex	388	381	- 7	- 1.8%
State	3,470	3,584	+114	+ 3.3%

*Amended from 1986 Annual Report.

Source: New Castle County, Kent County, and Sussex County Prothonotaries

SUPERIOR COURT
FISCAL YEAR 1987
CIVIL CASES
EXPLANATORY NOTES

1. Complaints are suits for damages. During FY 1987, activity in the Complaints category included Complaints for Damages, Condemnations, Ejectments, Appeals from Justice of the Peace Court and from arbitration panels, Declaratory Judgements, Foreign Judgements, Replevins, Foreign Attachments, Domestic Attachments, Interpleaders, Amicable Actions, Breach of Contract, Transfers and Removals from the Court of Chancery, Transfers and Removals from the Court of Common Pleas and debt actions.
2. Mechanic's Liens and Mortgages are property suits.
3. Involuntary Commitments are proceedings held to determine whether individuals shall be involuntarily committed as mentally ill. Because Delaware State Hospital, the State's facility for mentally ill patients, is located in New Castle County, almost all Involuntary Commitment hearings are held in New Castle County.
4. Appeals are appeals on the record. This category includes Appeals from Administrative Agencies, Appeals from Family Court, Appeals from the Court of Common Pleas, and Certioraris.
5. Miscellaneous includes all other cases. During FY 1987 this category included Complaints Requesting Order, Habeas Corpus, Mandamus, Writs of Prohibition, Petitions for Destruction of Indicia of Arrest, Petitions to Compel Satisfaction of Judgement, Petitions to Extend Judgement, Petitions for Bail Forfeitures, Petitions to Satisfy Mortgage, Petitions to Set Aside Mortgage, Petitions for Issuance of Subpoena, Petitions for Appointment of Attorney, Out of State Depositions, Petitions to Sell Real Estate for Property Taxes, Petitions for Return of Property, Petitions to Vacate Public Road, Tax Ditches, Rules to Show Cause, Road Resolutions, Cease and Desist Orders and Motions for Habitual Offenders.

SUPERIOR COURT
FISCAL YEAR 1987
CIVIL CASES
WORKLOAD BREAKDOWNS

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FILINGS

	<u>Complaints</u>	Mechanic's Liens and <u>Mortgages</u>	<u>Appeals</u>	Involuntary <u>Commitments</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	2,296 65.4%	400 11.4%	167 4.7%	247 7.0%	403 11.5%	3,513 100.0%
Kent	292 59.2%	76 15.4%	30 6.1%	0 0.0%	95 19.3%	493 100.0%
Sussex	282 50.4%	172 30.8%	55 9.8%	0 0.0%	50 8.9%	559 100.0%
State	2,870 62.9%	648 14.2%	252 5.5%	247 5.4%	548 12.0%	4,565 100.0%

DISPOSITIONS

	<u>Complaints</u>	Mechanic's Liens and <u>Mortgages</u>	<u>Appeals</u>	Involuntary <u>Commitments</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	1,718 59.6%	399 13.8%	199 6.9%	229 7.9%	339 11.8%	2,884 100.0%
Kent	206 64.6%	69 21.6%	6 1.9%	0 0.0%	38 11.9%	319 100.0%
Sussex	222 58.3%	113 29.7%	33 8.7%	0 0.0%	13 3.4%	381 100.0%
State	2,146 59.9%	581 16.2%	238 6.6%	229 6.4%	390 10.9%	3,584 100.0%

PENDING AT END OF YEAR

	<u>Complaints</u>	Mechanic's Liens and <u>Mortgages</u>	<u>Appeals</u>	Involuntary <u>Commitments</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	3,772 82.5%	270 5.9%	248 5.4%	95 2.0%	187 4.1%	4,572 100.0%
Kent	554 55.0%	59 5.8%	65 6.5%	0 0.0%	330 32.7%	1,008 100.0%
Sussex	336 57.0%	134 22.7%	67 11.4%	0 0.0%	53 9.0%	590 100.0%
State	4,662 75.6%	463 7.5%	380 6.2%	95 1.5%	570 9.2%	6,170 100.0%

CHANGE IN PENDING*

	<u>Complaints</u>	Mechanic's Liens and <u>Mortgages</u>	<u>Appeals</u>	Involuntary <u>Commitments</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	+578	+ 1	-32	+18	+ 64	+629
Kent*	+ 86	+ 7	+24	0	+ 57	+174
Sussex*	+ 60	+59	+22	0	+ 37	+178
State*	+724	+67	+14	+18	+158	+981

*Change in pending from amended pending for the end of FY 1986.

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT
FISCAL YEAR 1987
CIVIL CASES
TYPES OF DISPOSITIONS
COMPLAINTS DISPOSITIONS*

	<u>Trial Dispositions</u>		<u>Non-Trial Dispositions*</u>								
	<u>Judgment for Plaintiff</u>	<u>Judgment for Defendant</u>	<u>Default Judgment for Plaintiff</u>	<u>Other Judgment for Plaintiff</u>	<u>Judgment for Defendant</u>	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>Other</u>	<u>TOTALS</u>		
New Castle	42 2.4%	28 1.6%	77 4.5%	159 9.3%	63 3.7%	1,249 72.7%	94 5.5%	6 0.4%	1,718	100.0%	
Kent	3 1.5%	2 1.0%	13 6.3%	6 2.9%	1 0.5%	177 85.9%	4 1.9%	0 0.0%	206	100.0%	
Sussex	8 3.6%	0 0.0%	25 11.3%	11 5.0%	2 0.9%	144 64.9%	32 14.4%	0 0.0%	222	100.0%	
State	53 2.5%	30 1.4%	115 5.4%	176 8.2%	66 3.1%	1,570 73.2%	130 6.0%	6 0.3%	2,146	100.0%	

MECHANIC'S LIENS AND MORTGAGES DISPOSITIONS*

	<u>Trial Dispositions</u>			<u>Non-Trial Dispositions*</u>														
	Judgment for		Judgment for	Default Judgment for	Other Judgment for	Judgment for	Voluntary	Court										
	Plaintiff	Defendant		Plaintiff	Plaintiff	Defendant	Dismissal	Dismissal	Other			TOTALS						
New Castle	2	0.5%	1	0.3%	154	38.6%	73	18.3%	4	1.0%	155	38.8%	10	2.5%	0	0.0%	399	100.0%
Kent	1	1.4%	0	0.0%	36	52.2%	1	1.4%	0	0.0%	30	43.5%	1	1.4%	0	0.0%	69	100.0%
Sussex	2	1.8%	0	0.0%	53	46.9%	5	4.4%	0	0.0%	46	40.7%	7	6.2%	0	0.0%	113	100.0%
State	5	0.9%	1	0.2%	243	41.8%	79	13.6%	4	0.7%	231	39.8%	18	3.1%	0	0.0%	581	100.0%

*Includes cases assigned for arbitration that are disposed of for Superior Court.

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT
FISCAL YEAR 1987
CIVIL CASES
TYPES OF DISPOSITIONS

INVOLUNTARY COMMITMENTS DISPOSITIONS

	<u>Dismissed- Voluntary Commitment</u>	<u>Dismissed- No Probable Cause</u>	<u>Dismissed- Released By Hospital</u>	<u>Dismissed- Defendant Deceased</u>	<u>TOTAL</u>
New Castle	173 75.6%	1 0.4%	55 24.0%	0 0.0%	229 100.0%

APPEALS DISPOSITIONS

	<u>Affirmed</u>	<u>Reversed</u>	<u>Affirmed Part/ Reversed Part</u>	<u>Voluntarily Dismissed</u>	<u>Dismissed By Court</u>	<u>Remanded</u>	<u>TOTALS</u>
New Castle	70 35.2%	10 5.0%	2 1.0%	52 26.1%	34 17.1%	31 15.6%	199 100.0%
Kent	0 0.0%	0 0.0%	0 0.0%	5 83.3%	1 16.7%	0 0.0%	6 100.0%
Sussex	<u>8 24.2%</u>	<u>2 6.1%</u>	<u>2 6.1%</u>	<u>8 24.2%</u>	<u>12 36.4%</u>	<u>1 3.0%</u>	<u>33 100.0%</u>
State	78 32.8%	12 5.0%	4 1.7%	65 27.3%	47 19.8%	32 13.4%	238 100.0%

MISCELLANEOUS DISPOSITIONS

	<u>Signed/Granted</u>	<u>Denied/Dismissed</u>	<u>Disposition Simultaneous With Filing</u>	<u>TOTALS</u>
New Castle	234 69.0%	61 18.0%	44 13.0%	339 100.0%
Kent	30 78.9%	8 21.1%	0 0.0%	38 100.0%
Sussex	<u>11 84.6%</u>	<u>2 15.4%</u>	<u>0 0.0%</u>	<u>13 100.0%</u>
State	275 70.5%	71 18.2%	44 11.3%	390 100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices

SUPERIOR COURT

FISCAL YEAR 1987

CIVIL CASES

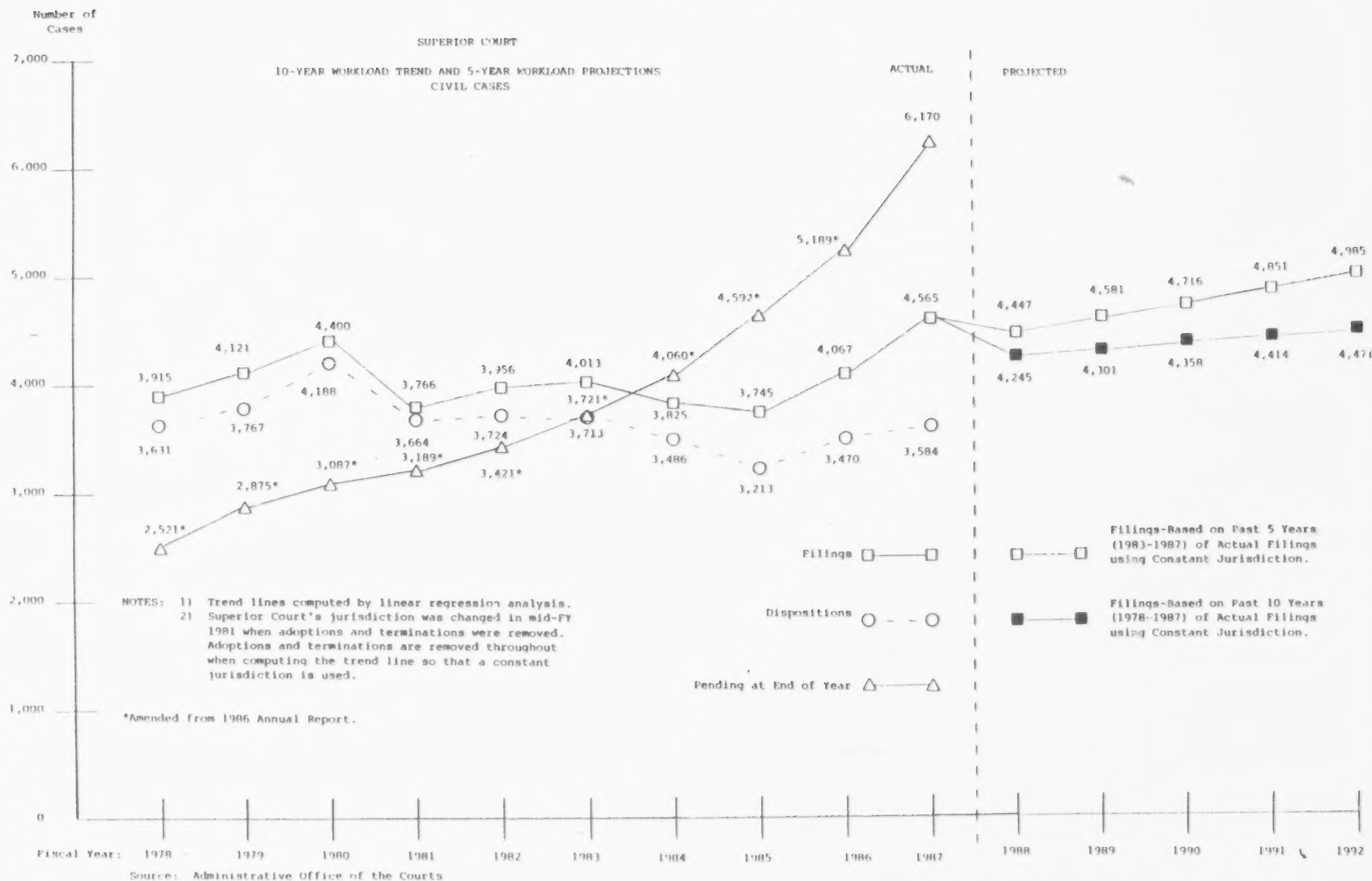
CIVIL TRIALS

	<u>Number of Jury Trials</u>	<u>Number of Non-Jury Trials</u>	<u>Total Number Of Trials</u>
New Castle	66 79.5%	17 20.5%	83 100.0%
Kent	6 66.7%	3 33.3%	9 100.0%
Sussex	<u>5 16.1%</u>	<u>26 83.9%</u>	<u>31 100.0%</u>
State	77 62.6%	46 37.4%	123 100.0%

CIVIL CALENDAR ACTIVITY

	<u>Cases Tried</u>	<u>Cases Settled or Dismissed</u>	<u>Cases Continued for Settlement</u>	<u>Cases Continued Due to Lack of Judge</u>	<u>Cases Continued at Request of Attorney</u>	<u>Total Cases Scheduled</u>
New Castle	83 12.6%	300 45.6%	7 1.1%	13 2.0%	255 38.7%	658 100.0%
Kent	9 12.5%	32 44.4%	0 0.0%	1 1.4%	30 41.7%	72 100.0%
Sussex	<u>31 32.6%</u>	<u>28 29.5%</u>	<u>2 2.1%</u>	<u>0 0.0%</u>	<u>34 35.8%</u>	<u>95 100.0%</u>
State	123 14.9%	360 43.6%	9 1.1%	14 1.7%	319 38.7%	825 100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices



SUPERIOR COURT
FISCAL YEAR 1987
CIVIL CASES
PERFORMANCE SUMMARY

	<u>Complaints</u>		<u>Mechanic's Liens and Mortgages</u>	
	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>
New Castle	1,718	571.5 days	399	358.1 days
Kent	206	509.5 days	69	236.9 days
Sussex	222	528.5 days	113	272.7 days
State	2,146	561.1 days	581	327.7 days

	<u>Appeals</u>		<u>Involuntary Commitments</u>		<u>Miscellaneous</u>	
	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>
New Castle	199	361.7 days	229	62.3 days	339	65.9 days
Kent	6	230.2 days	0	-	38	49.4 days
Sussex	33	308.5 days	0	-	13	194.5 days
State	238	351.1 days	229	62.3 days	390	68.6 days

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices;
Administrative Office of the Courts

SUPERIOR COURT
FISCAL YEAR 1987
CIVIL CASES
PERFORMANCE BREAKDOWNS
COMPLAINTS - METHOD

METHOD OF DISPOSITION

Number of Cases Disposed of by:

	<u>Trial</u>		<u>Arbitrator's Order</u>		<u>Default Judgment</u>		<u>Voluntary Dismissal</u>		<u>Other</u>		<u>TOTAL</u>	
New Castle	70	4.1%	149	8.7%	77	4.5%	1,249	72.7%	173	10.1%	1,718	100.0%
Kent	5	2.4%	Not Available		13	6.3%	177	85.9%	11	5.3%	206	100.0%
Sussex	8	3.6%	Not Available		25	11.3%	144	64.9%	45	20.3%	222	100.0%
State	83	3.9%	149*	6.9%	115	5.4%	1,570	73.2%	229	10.7%	2,146	100.0%

COMPLAINTS-ELAPSED TIME

AVERAGE TIME FROM FILING TO DISPOSITION

Cases Disposed of by:

	<u>Trial</u>	<u>Arbitrator's Order</u>	<u>Default Judgment</u>	<u>Voluntary Dismissal</u>	<u>Other</u>	<u>TOTAL</u>
New Castle	1,227.4 days	257.9 days	151.2 days	552.3 days	902.0 days	571.5 days
Kent	1,062.4 days	Not Available	118.6 days	513.5 days	654.9 days	509.5 days
Sussex	545.1 days	Not Available	129.8 days	507.6 days	814.1 days	528.5 days
State	1,151.7 days	257.9 days*	143.3 days	543.8 days	872.9 days	561.1 days

*New Castle County only.

Source: New Castle County, Kent County and Sussex County Prothonotaries' Offices.
Administrative Office of the Courts.

SUPERIOR COURT
FISCAL YEAR 1987
CIVIL CASES
PERFORMANCE BREAKDOWNS

MECHANIC'S LIENS AND MORTGAGES - METHOD

METHOD OF DISPOSITION

Number of Cases Disposed of by:

	<u>Trial</u>		<u>Arbitrator's Order</u>		<u>Default Judgment</u>		<u>Voluntary Dismissal</u>		<u>Other</u>		<u>TOTAL</u>	
New Castle	3	0.8%	7	1.8%	154	38.6%	155	38.8%	80	20.1%	399	100.0%
Kent	1	1.4%	Not Available		36	52.2%	30	43.5%	2	2.9%	69	100.0%
Sussex	2	1.8%	Not Available		53	46.9%	46	40.7%	12	10.6%	113	100.0%
State	6	1.0%	7*	1.2%	243	41.8%	231	39.8%	94	16.2%	581	100.0%

MECHANIC'S LIENS AND MORTGAGES - ELAPSED TIME

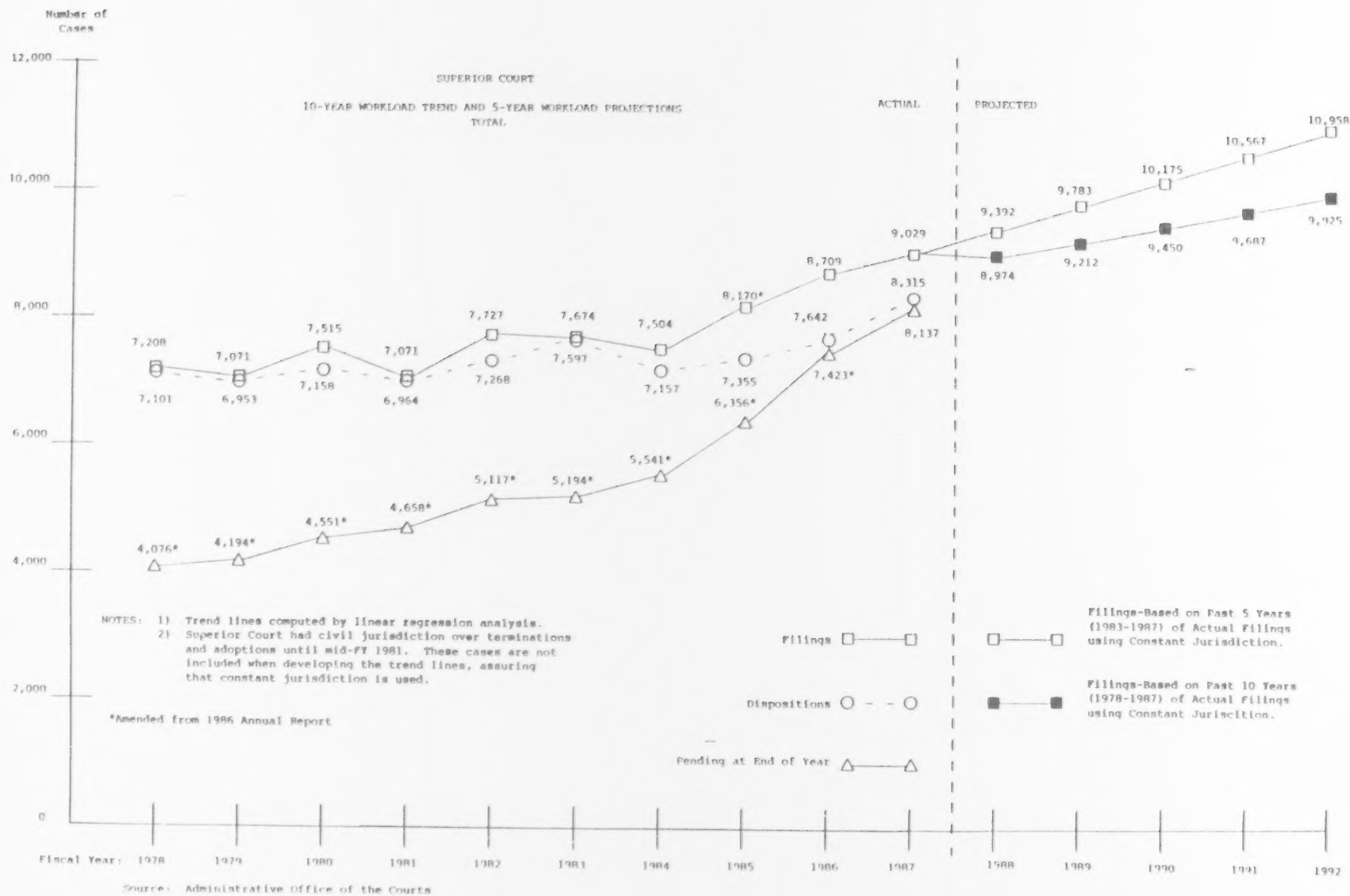
AVERAGE TIME FROM FILING TO DISPOSITION

Cases Disposed of by:

	<u>Trial</u>	<u>Arbitrator's Order</u>	<u>Default Judgment</u>	<u>Voluntary Dismissal</u>	<u>Other</u>	<u>TOTAL</u>
New Castle	569.0 days	319.6 days	98.5 days	256.5 days	1,050.3 days	358.1 days
Kent	797.0 days	Not Available		387.4 days	225.0 days	236.9 days
Sussex	1,231.0 days	Not Available		262.2 days	758.5 days	272.7 days
State	827.7 days	319.6 days*	107.5 days	274.6 days	995.5 days	327.7 days

*New Castle County only.

Source: New Castle County, Kent County and Sussex County Prothonotaries' Offices.
Administrative Office of the Courts.



SUPERIOR COURT
FISCAL YEAR 1987
ARBITRATION
EXPLANATORY NOTES

1. Arbitration is compulsory for civil cases in which:
 - a) Trial is available, and
 - b) Monetary damages are sought, and
 - c) Non-monetary damages are insubstantial, and
 - d) Damages do not exceed \$30,000 (to increase to \$50,000 on 1/1/88).
2. The President Judge of Superior Court or his designee is to select the arbitrator for an arbitration proceeding subject to the following guidelines:
 - a) The parties may request a specific arbitrator by joint agreement, or
 - b) If the parties fail to agree upon a set arbitrator of their choice, the Court then is to provide a list of three (3) alternative arbitrators for review by the parties. The plaintiff(s) and the defendant(s) may each strike one alternative arbitrator, and the Court is to appoint the arbitrator from the remaining alternative arbitrators.
3. The arbitrator's decision is to be in the form of a written order. The order is to become a judgement of the Court unless a trial de novo is requested. Any party may request a trial de novo before Superior Court within 20 days following the arbitrator's order.
4. The Arbitration Unit of the Superior Court prepares an annual report which reviews in greater detail the operation of the Superior Court arbitration program.

SUPERIOR COURT
FISCAL YEAR 1987
ARBITRATION

WORKLOAD SUMMARY

	<u>Pending 6/30/86</u>	<u>Filings*</u>	<u>Dispositions**</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change</u>
New Castle	677	1,367	1,112	932	+255	+37.7%
Kent	87	182	163	106	+ 19	+21.8%
Sussex	95	269	221	143	+ 48	+50.5%
State	859	1,818	1,496	1,181	+322	+37.5%

COMPARISON - FISCAL YEARS 1986-1987
WORKLOAD

Filings*

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,100	1,367	+267	+24.3%
Kent	181	182	+ 1	+ 0.6%
Sussex	220	269	+ 49	+22.3%
State	1,501	1,818	+317	+21.1%

Dispositions**

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	904	1,112	+208	+23.0%
Kent	163	163	0	0.0%
Sussex	189	221	+ 32	+16.9%
State	1,256	1,496	+240	+19.1%

*Includes new arbitration cases, cases stipulated into arbitration, cases reactivated, and cases omitted previously.

**Includes cases removed before hearing, final dispositions at hearing, and de novo appeals.

Source: Court Administrator, Superior Court

SUPERIOR COURT
FISCAL YEAR 1987
ARBITRATION

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WORKLOAD SUMMARY (Continued)

FILINGS

Cases Eligible for Arbitration*

	<u>Arbitration**</u> <u>Cases Filed</u>		<u>Non-Arbitration</u> <u>Cases Filed</u>		<u>Total Filed</u>	
New Castle	1,321	48.9%	1,382	51.1%	2,703	100.0%
Kent	178	48.0%	193	52.0%	371	100.0%
Sussex	263	58.8%	184	41.2%	447	100.0%
State	1,762	50.0%	1,759	50.0%	3,521	100.0%

All Civil Cases

	<u>Arbitration**</u> <u>Cases Filed</u>		<u>Non-Arbitration</u> <u>Cases Filed</u>		<u>Total Filed</u>	
New Castle	1,321	37.6%	2,192	62.4%	3,513	100.0%
Kent	178	36.1%	315	63.9%	493	100.0%
Sussex	263	47.0%	296	53.0%	559	100.0%
State	1,762	38.6%	2,803	61.4%	4,565	100.0%

PENDING AT END OF YEAR

	<u>Awaiting</u> <u>Responsive</u> <u>Pleading</u>		<u>Assigned to</u> <u>An Arbitrator</u>		<u>Totals</u>	
New Castle	873	93.7%	59	6.3%	932	100.0%
Kent	80	75.5%	26	24.5%	106	100.0%
Sussex	115	80.4%	28	19.6%	143	100.0%
State	1,068	90.4%	113	9.6%	1,181	100.0%

*Includes complaints and mechanic's liens and mortgages.

**Includes only new filings.

Source: Court Administrator, Superior Court

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1987

TYPES OF FILINGS*

	<u>Number of Filings</u>		<u>Mechanic's Liens and Mortgages</u>		<u>Total</u>	
	<u>Complaints</u>					
New Castle	1,085	82.1%	236	17.9%	1,321	100.0%
Kent	133	74.7%	45	25.3%	178	100.0%
Sussex	152	57.8%	111	42.2%	263	100.0%
State	1,370	77.8%	392	22.2%	1,762	100.0%

Complaints

	Number of Filings		Personal		Debt/Breach		Arbitration		Other		Total	
	Injury (Auto)		Injury (Non-Auto)		of Contract		Board Appeals					
New Castle	495	45.6%	118	10.9%	324	29.9%	87	8.0%	61	5.6%	1,085	100.0%
Kent	37	27.8%	12	9.0%	63	47.4%	16	12.0%	5	3.8%	133	100.0%
Sussex	49	32.2%	10	6.6%	75	49.3%	12	7.9%	6	4.0%	152	100.0%
State	581	42.4%	140	10.2%	462	33.7%	115	8.4%	72	5.3%	1,370	100.0%

Mechanic's Liens and Mortgages

	<u>Number of Filings</u>		<u>Mortgages</u>		<u>Total</u>	
	<u>Mechanic's Liens</u>					
New Castle	65	27.5%	171	72.5%	236	100.0%
Kent	13	28.9%	32	71.1%	45	100.0%
Sussex	42	37.8%	69	62.2%	111	100.0%
State	120	30.6%	272	69.4%	392	100.0%

*Includes only new filings.

Source: Court Administrator, Superior Court.

SUPERIOR COURT
ARBITRATION

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FISCAL YEAR 1987

METHOD OF DISPOSITION

	<u>Number of Dispositions</u> <u>Removed</u> <u>Before Hearing*</u>		<u>Final Disposition</u> <u>Arbitrator's Order**</u>		<u>De Novo Appeal***</u>		<u>Total</u>	
New Castle	666	59.9%	216	19.4%	230	20.7%	1,112	100.0%
Kent	100	61.3%	27	16.6%	36	22.1%	163	100.0%
Sussex	158	71.5%	23	10.4%	40	18.1%	221	100.0%
State	924	61.8%	266	17.8%	306	20.4%	1,496	100.0%

Removed Before Hearing*

	<u>Number of Dispositions</u> <u>Default</u> <u>Judgment</u>		<u>Dismissal</u>		<u>Settled</u>		<u>Other</u>		<u>Total</u>	
New Castle	179	26.9%	413	62.0%	3	0.4%	71	10.7%	666	100.0%
Kent	37	37.0%	49	49.0%	0	0.0%	14	14.0%	100	100.0%
Sussex	60	38.0%	67	42.4%	1	0.6%	30	19.0%	158	100.0%
State	276	29.9%	529	57.3%	4	0.4%	115	12.4%	924	100.0%

Arbitrator's Orders

	<u>Number of Dispositions</u> <u>Final Disposition**</u>		<u>De Novo Appeal***</u>		<u>Total</u>	
New Castle	216	48.4%	230	51.6%	446	100.0%
Kent	27	42.9%	36	57.1%	63	100.0%
Sussex	23	36.5%	40	63.5%	63	100.0%
State	266	46.5%	306	53.5%	572	100.0%

*Includes dispositions before hearing and removals (certificate of value, stay orders, etc.)

**Cases in which the arbitrator's decision is not appealed de novo.

***Cases in which the arbitrator's decision is appealed de novo.

Source: Court Administrator, Superior Court.

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1987

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TYPES OF DISPOSITIONS
NEW CASTLE COUNTY

	<u>FINAL DISPOSITION*</u>				<u>DE NOVO APPLICATIONS</u>						<u>HEARINGS</u>	
	Judg. for Plain.	Judg. for Def.	Dismiss	TOTAL	<u>Order for Plain.</u>			<u>Order for Def.</u>			<u>All</u>	
					App. by Plain.	App. by Def.	Total	App. by Plain.	App. by Def.	Total	TOTAL	TOTAL
Personal Injury (auto)	97	9	2	108	28	41	69	13	1	14	83	191
Personal Injury (non-auto)	25	10	2	37	5	9	14	22	0	22	36	73
Debt/Breach of Contract	34	7	1	42	15	35	50	12	1	13	63	105
Arbitration Board Appeal	11	5	0	16	2	3	5	10	0	10	15	31
Other Complaints	5	2	0	7	4	7	11	8	0	8	19	26
Mechanic's Lien	5	0	0	5	2	5	7	2	1	3	10	15
Mortgage	<u>1</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>4</u>	<u>4</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>4</u>	<u>5</u>
TOTAL	178	33	5	216	56	104	160	67	3	70	230	446

*Arbitrator's order is not followed by de novo application. In such cases, the arbitrator's order becomes a judgement.

Judg. = Judgement
Plain. = Plaintiff
Def. = Defendant
App. = Application

Source: Court Administrator, Superior Court.

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1987

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TYPES OF DISPOSITIONS
KENT COUNTY

	FINAL DISPOSITION*				DE NOVO APPLICATIONS							HEARINGS
	Judg. for Plain.	Judg. for Def.	Dismiss	TOTAL	Order for Plain.			Order for Def.			All	TOTAL
					App. by Plain.	App. by Def.	Total	App. by Plain.	App. by Def.	Total	TOTAL	
Personal Injury (auto)	12	1	0	13	8	7	15	4	0	4	19	32
Personal Injury (non-auto)	3	1	0	4	0	1	1	3	0	3	4	8
Debt/Breach of Contract	4	1	0	5	3	5	8	2	0	2	10	15
Arbitration Board Appeal	3	1	0	4	0	0	0	1	0	1	1	5
Other Complaints	0	0	0	0	0	1	1	0	0	0	1	1
Mechanic's Lien	0	0	0	0	0	1	1	0	0	0	1	1
Mortgage	<u>1</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>
TOTAL	23	4	0	27	11	15	26	10	0	10	36	63

*Arbitrator's order is not followed by de novo application. In such cases, the arbitrator's order becomes a judgement.

Judg. = Judgement

Plain. = Plaintiff

Def. = Defendant

App. = Application

Source: Court Administrator, Superior Court.

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1987

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TYPES OF DISPOSITIONS
SUSSEX COUNTY

	FINAL DISPOSITION*				DE NOVO APPLICATIONS						HEARINGS	
	Judg. for Plain.	Judg. for Def.	Dismiss	TOTAL	Order for Plain.			Order for Def.			All	TOTAL
					App. by Plain.	App. by Def.	Total	App. by Plain.	App. by Def.	Total	TOTAL	
Personal Injury (auto)	8	1	0	9	3	2	5	2	0	2	7	16
Personal Injury (non-auto)	2	2	0	4	2	0	2	3	0	3	5	9
Debt/Breach of Contract	5	0	0	5	4	6	10	10	0	10	20	25
Arbitration Board Appeal	1	1	0	2	0	2	2	1	0	1	3	5
Other Complaints	1	0	0	1	0	0	0	1	0	1	1	2
Mechanic's Lien	0	0	0	0	0	3	3	1	0	1	4	4
Mortgage	<u>1</u>	<u>1</u>	<u>0</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2</u>
TOTAL	18	5	0	23	9	13	22	18	0	18	40	63

*Arbitrator's order is not followed by de novo application. In such cases, the arbitrator's order becomes a judgement.

Judg. = Judgement
Plain. = Plaintiff
Def. = Defendant
App. = Application

Source: Court Administrator, Superior Court.

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1987

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TYPES OF DISPOSITIONS
STATE

	FINAL DISPOSITION*				DE NOVO APPLICATIONS							HEARINGS
	Judg. for Plain.	Judg. for Def.	Dismiss	TOTAL	Order for Plain.			Order for Def.			All	TOTAL
					App. by Plain.	App. by Def.	Total	App. by Plain.	App. by Def.	Total	TOTAL	
Personal Injury (auto)	117	11	2	130	39	50	89	19	1	20	109	239
Personal Injury (non-auto)	30	13	2	45	7	10	17	28	0	28	45	90
Debt/Breach of Contract	43	8	1	52	22	46	68	24	1	25	93	145
Arbitration Board Appeal	15	7	0	22	2	5	7	12	0	12	19	41
Other Complaints	6	2	0	8	4	8	12	9	0	9	21	29
Mechanic's Lien	5	0	0	5	2	9	11	3	1	4	15	20
Mortgage	3	1	0	4	0	4	4	0	0	0	4	8
TOTAL	219	42	5	266	76	132	208	95	3	98	306	572

*Arbitrator's order is not followed by de novo application. In such cases, the arbitrator's order becomes a judgement.

Judg. = Judgement
Plain. = Plaintiff
Def. = Defendant
App. = Application

Source: Court Administrator, Superior Court.

SUPERIOR COURT
FISCAL YEAR 1987
ARBITRATION
PERFORMANCE SUMMARY

	<u>Average Time From Date of Filing to Date of Appointment</u>	<u>Average Time From Date of Appointment To Date of Hearing</u>	<u>Average Time From Date of Filing To Date of Hearing</u>
New Castle	131.7 days	57.6 days	189.3 days
Kent	102.0 days	72.1 days	174.1 days
Sussex	107.5 days	66.3 days	173.8 days
State	125.7 days	60.2 days	185.9 days

	<u>Average Time From Filing to Final Disposition*</u>	<u>Average Time From Filing to De Novo Appeal</u>	<u>Average Time from Filing to Final Disposition or De Novo Appeal**</u>
New Castle	209.7 days	215.6 days	212.7 days
Kent	185.4 days	203.0 days	195.5 days
Sussex	199.2 days	190.9 days	193.9 days
State	206.3 days	210.9 days	208.8 days

COMPLIANCE WITH 40-DAY RULE***

	<u>Number of Hearings Held Within 40 Days After Appointment of Arbitrator</u>		<u>Number of Hearings Held More Than 40 Days After Appointment of Arbitrator</u>		<u>Total Number of Hearings Held</u>	
New Castle	186	41.7%	260	58.3%	446	100.0%
Kent	21	33.3%	42	66.7%	63	100.0%
Sussex	23	36.5%	40	63.5%	63	100.0%
State	230	40.2%	342	59.8%	572	100.0%

*Disposed of at arbitration hearing and not followed by de novo appeal.

**All cases for which an arbitration hearing was held.

***Superior Court Civil Rule 16(c)(6)(A) states that the arbitration hearing is to be held within 40 days of the appointment. Arbitrators are authorized to grant an extension of time for a hearing to a date certain.

Source: Court Administrator, Superior Court

SUPERIOR COURT
FISCAL YEAR 1987
ARBITRATION
PERFORMANCE SUMMARY (Continued)

COMPARISON - FISCAL YEARS 1986-1987
ELAPSED TIME - FILING TO HEARING

Average Time From
Date of Filing to
Date of Appointment

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	136.7 days	131.7 days	- 5.0 days	- 3.7%
Kent	93.7 days	102.0 days	+ 8.3 days	+ 8.9%
Sussex	79.2 days	107.5 days	+28.3 days	+35.7%
State	122.0 days	125.7 days	+ 3.7 days	+ 3.0%

Average Time From
Date of Appointment
To Date of Hearing

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	35.3 days	57.6 days	+22.3 days	+63.2%
Kent	52.3 days	72.1 days	+19.8 days	+37.9%
Sussex	50.0 days	66.3 days	+16.3 days	+32.6%
State	40.0 days	60.2 days	+20.2 days	+50.5%

Average Time From
Date of Filing
To Date of Hearing

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	172.0 days	189.3 days	+17.3 days	+10.1%
Kent	146.0 days	174.1 days	+28.2 days	+19.2%
Sussex	129.2 days	173.8 days	+44.6 days	+34.5%
State	162.0 days	185.9 days	+23.9 days	+14.8%

Source: Court Administrator, Superior Court

SUPERIOR COURT
FISCAL YEAR 1987
ARBITRATION
PERFORMANCE SUMMARY (Continued)

COMPARISON - FISCAL YEARS 1986-1987
ELAPSED TIME - FILING TO DISPOSITION/Appeal

Average Time
From Filing to
Final Disposition*

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	200.6 days	209.7 days	+ 9.1 days	+ 4.5%
Kent	191.0 days	185.4 days	- 5.6 days	- 2.9%
Sussex	175.3 days	199.2 days	+23.9 days	+13.6%
State	195.4 days	206.3 days	+10.9 days	+ 5.6%

Average Time
From Filing to
De Novo Appeal

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	190.5 days	215.6 days	+15.1 days	+ 7.9%
Kent	192.6 days	203.0 days	+10.4 days	+ 5.4%
Sussex	146.6 days	190.9 days	+44.3 days	+30.2%
State	185.6 days	210.9 days	+25.3 days	+13.6%

Average Time From
Filing to Final Disposition
Or De Novo Appeal**

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	195.2 days	212.7 days	+17.5 days	+ 9.0%
Kent	192.0 days	195.5 days	+ 3.5 days	+ 1.8%
Sussex	162.1 days	193.9 days	+31.8 days	+19.6%
State	190.2 days	208.8 days	+18.6 days	+ 9.8%

*Disposed of at arbitration hearing and not followed by de novo appeal.

**All cases for which an arbitration hearing was held.

Source: Court Administrator, Superior Court

SUPERIOR COURT
FISCAL YEAR 1987
ARBITRATION
PERFORMANCE SUMMARY (Continued)COMPARISON - FISCAL YEARS 1986-1987
HEARINGS HELDNumber of Hearings Held
Within 40 Days After
Appointment of Arbitrator

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	183	186	+ 3	+ 1.6%
Kent	28	21	- 7	-25.0%
Sussex	35	23	-12	-34.3%
State	246	230	-16	- 6.5%

Number of Hearings Held
More Than 40 Days After
Appointment of Arbitrator

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	158	260	+102	+64.6%
Kent	40	42	+ 2	+ 5.0%
Sussex	30	40	+ 10	+33.3%
State	228	342	+114	+50.0%

Total Number
of Hearings Held

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	341	446	+105	+30.8%
Kent	68	63	- 5	- 7.4%
Sussex	65	63	- 2	- 3.1%
State	474	572	+ 98	+20.7%

Source: Court Administrator, Superior Court



Law Libraries

LAW LIBRARIES

The standards for the control and supervision of the three Law Libraries are set in 10 Del. Code §1941.

There are three Law Libraries located in the State of Delaware, staffed and maintained by state funds and each presided over by a Law Librarian. The libraries are named after the counties in which they are situated.

The primary function of the Law Libraries is to provide a legal information center for the Judiciary, Public Defender's Office, legal representatives of counties and municipalities, city solicitors, and members of the Delaware Bar. They are also the official depositories for state laws, administrative regulations, and court rules. The libraries are made available to registered law students to assist them in preparation for state bar examinations and in their legal education. All three libraries are designated as official depository libraries by the U.S. Government Printing Office. As state-supported agencies, the libraries are available to the general public during normal working hours although use of the Kent County Law Library has sometimes been limited to court-related users. Assistance is given to persons wishing to use the facilities whenever possible.

The New Castle County Law Library, located in the Public Building, Wilmington, Delaware, is the busiest of the three libraries. It houses about 25,000 books and there is presently seated working space for about 32 persons at one time. The recent purchase of a reader-printer which can make positive printouts from both microfiche and microfilm records has been a help to the Law Library and its users. The facility is maintained and administered by a Law Librarian and a Library Assistant. The Kent County Law Library, due to its location, is designated as the State Library. It houses the largest legal library maintained by the state with about 35,000 volumes and is staffed by one Law Librarian. The Sussex County Law Library is staffed by one Law Librarian and houses about 14,000 volumes.

The Law Libraries are responsible for administrative library work as well as maintaining the bookkeeping records required by the State. These duties and responsibilities include but are not limited to the following: Insertion of pocket parts, maintenance of loose leaf service bookkeeping for the agency's accounts, preparing Invoices for library expenditures, filing and indexing reported and unreported opinions from the several courts, obtaining and filing copies of rules and regulations promulgated by the governmental agencies, maintaining of books and their monetary values, obtaining and filing statutes from the Legislative Council and other states, handling requests from various persons for information contained in the library, handling special requests for research work from the judges, planning and recommending development and improvement of services, writing reports, and performing other duties associated with library work.

LAW LIBRARIES

PERSONNEL

NEW CASTLE COUNTY

New Castle County Law Library
Public Building
1020 North King Street
Wilmington, DE 19801
(571-2437)

Law Librarian
Rene Yucht

Library Assistant
Alda Monsen

KENT COUNTY

Kent County Law Library
Kent County Courthouse
38 The Green
Dover, DE 19901
(736-5467)

Law Librarian
Harold J. Hester

SUSSEX COUNTY

Sussex County Law Library
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-5483, 856-5235)

Law Librarian
Mary Tylecki Dickson



Family Court

FAMILY COURT

Legal Authorization

The Family Court Act, Title 10, Chapter 9, Delaware Code, authorizes the Family Court.

Geographic Organization

The Family Court is a unified statewide Court with branches in New Castle County at Wilmington, Kent County at Dover, and Sussex County at Georgetown.

Legal Jurisdiction

The Family Court has had conferred upon it by the General Assembly jurisdiction over juvenile delinquency, child neglect, dependency, child abuse, adult misdemeanor crimes against juveniles, child and spouse support, paternity of children, custody and visitation of children, adoptions, terminations of parental rights, divorces and annulments, property divisions, specific enforcement of separation agreements, guardianship over minors, imperiling the family relationship, and intra-family misdemeanor crimes.

The Family Court does not have jurisdiction over adults charged with felonies or juveniles charged with first degree murder, rape, or kidnapping.

Cases are appealed to the Supreme Court with the exception of adult criminal cases which are appealed to the Superior Court.

Judges

Number: The Court is allowed 13 judges of equal judicial authority, one of whom is appointed by the Governor as Chief Judge and who is the chief administrative and executive officer for the Court. A bare majority of the judges must be of one major political party with the remainder of the other major political party.

Appointment: The Governor appoints the judges, subject to confirmation by the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least 5 years prior to appointment and must have a knowledge of the law and interest in and understanding of family and child problems. They shall not practice law during their tenure and may be reappointed.

Other Judicial Personnel

The Chief Judge appoints and commissions masters for the Court who shall hold office at his pleasure and must have resided in the State for at least 5 years prior to their appointment. Masters may hear any matters properly before them, and their decisions become judgments of the Court unless disapproved by a Judge. Parties may request a review de novo by a Judge, by petitioning in writing within 15 days of the master's decision.

Support Personnel

The 3 major administrative divisions of the Court are Court Operations, Fiscal Services, and Personnel Services. Fiscal Services and Personnel Services perform staff functions, whereas Court Operations is responsible for the delivery of services to the public.

The Family Court has a staff of more than 220 persons in addition to the judiciary. The staff includes clerks of court, judicial secretaries, counselors, accounting personnel, clerks, clerk-typists, bailiffs, process servers, and hearing officers in mediation and arbitration cases, as well as volunteers working in all areas of the Court.

Caseload Trends

Total filings in Family Court were virtually unchanged between FY 1986 and FY 1987, with 34,925 total filings during FY 1987 as compared with an amended total of 34,979 total filings in FY 1986. The total filings during FY 1987 was the second largest for a fiscal year in Family Court, surpassed only by the total from FY 1986.

There was a 5.8% drop in total dispositions from an amended total of 34,916 dispositions in FY 1986 to 32,892 total dispositions in FY 1987. As with total filings, the total number of dispositions in Family Court during FY 1987 was greater than the total for any fiscal year except for FY 1986.

The impact of the decrease in dispositions from the record levels of FY 1986 can be seen in the increase in total pending. The total pending rose from an amended total of 7,761 at the end of FY 1986 to 9,794 at the end of FY 1987, an increase of 26.2%. This is the largest total pending at the end of a fiscal year for Family Court, increasing by 2,033 from the previous record set in FY 1986.

FAMILY COURT

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JUDICIARY

Chief Judge

Hon. Robert D. Thompson (D, 10/25/86)

Grace Davis, Secretary
(856-5301)

Lynn Booth, Secretary
(571-2205)

NEW CASTLE COUNTY

Associate Judges

Hon. James J. Horgan (D, 9/29/88)

Kathy Mort, Secretary
(571-2229)

Hon. Jay Paul James (R, 7/31/90)

Bunny J. Senn
(571-2226)

Hon. Karl J. Parrish (D, 10/30/90)

Terry A. Korycki, Secretary
(571-2232)

Hon. John T. Gallagher (D, 11/6/91)

Diane H. Ruggerio, Secretary
(571-3923)

Hon. Jay H. Conner (R, 12/17/93)

Dolores A. Howard, Secretary
(571-6286)

Hon. Charles K. Keil (D, 9/30/95)

Marianne H. O'Donnell, Secretary
(571-2432)

Hon. Peggy L. Ableman (D, 9/30/95)

Barbara Ann Hedgepath, Secretary
(571-2257)

Hon. Robert W. Wakefield (R, 9/30/97)

Carol Walton, Secretary
(571-2254)

KENT COUNTY

Associate Judges

Hon. David P. Buckson (R, 4/24/87)

Ruth Potter, Secretary
(736-4565)

Hon. Roger D. Kelsey (R, 7/28/87)

Karen Price, Secretary
(736-4513)

SUSSEX COUNTY

Associate Judges

Hon. Battle R. Robinson (R, 8/29/97)

Judy Maddox, Secretary
(856-5540)

Hon. Kenneth M. Millman (R, 10/31/98)

Ruth Chasanov, Secretary
(856-5417, 856-5320)

FAMILY COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Family Court
Family Court Building
900 King Street
P.O. Box 2359
Wilmington, DE 19899
(571-2200)

Chief Master

D. Thomas Reardon
Pat Kane, Secretary
(571-2315)

Masters

William H. McDonough
Joy Billinge, Secretary
(571-2417)
Frederick Kenney
Joan Prettyman, Secretary
(571-2593)
Mary Ann Herlihy
Mary Lou McNulty, Secretary
(571-2212)
Susan Paikin
Carolyn Wrightson, Secretary
(571-2303)
H. Kemp Vye
Pat Berry, Secretary
(571-2282)

KENT COUNTY

Family Court
Arden Building
11 North Street
P.O. Box 310
Dover, DE 19901
(736-4501)

Gary E. Grubb
Janice Carroll, Secretary
(736-5031)
Mark Buckworth
Carolyn Downs, Secretary
(736-5359)

SUSSEX COUNTY

Family Court
Family Court Building
Race and East Pine Streets
P.O. Box 609
Georgetown, DE 19947
(856-7702)

Pamela Deeds Holloway
Peggy Butler, Secretary
(856-5638)
Andrew Horsey, Jr.
Kay VanAuken, Secretary
(856-5405)

SUPPORT PERSONNEL (CONTINUED)

FOR THE STATEWIDE COURT

Administrator
James T. Glessner
(571-2216)

Chief of Fiscal Services
William B. Breighner
(571-2222)

Chief of Personnel Services
Hope M. Murray
(571-2296)

Director for Research & Planning
Emmett M. Partin
(571-2215)

Director for Treatment Services
Janis F. Harrison
(571-2219)

Director of Support
John R. Carrow
(571-2622)

Director of Legal Services
Patricia Tate Stewart
(571-2280)

NEW CASTLE COUNTY

Director
Randall E. Williams
(571-2241)

KENT COUNTY

Director
James F. Truitt
(736-4297)

SUSSEX COUNTY

Director
Robert F. Stuart
(856-5515)

FAMILY COURT
FISCAL YEAR 1987
WORKLOAD SUMMARY

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	<u>Number of Filings</u>		<u>Disposed</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
	<u>Pending 6/30/86</u>	<u>Filed</u>				
New Castle	4,352*	20,605	19,030	5,927	+1,575	+36.2%
Kent	1,686*	6,781	6,761	1,706	+ 20	+ 1.2%
Sussex	1,723*	7,539	7,101	2,161	+ 438	+25.4%
State	7,761*	34,925	32,892	9,794	+2,033	+26.2%

COMPARISON - FISCAL YEARS 1986-1987
WORKLOAD

FILED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1986</u>	<u>1987</u>		
New Castle	19,711*	20,605	+ 894	+ 4.5%
Kent	7,610*	6,781	- 829	-10.9%
Sussex	7,658*	7,539	- 119	- 1.6%
State	34,979*	34,925	- 54	- 0.2%

DISPOSED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1986</u>	<u>1987</u>		
New Castle	19,874*	19,030	- 844	- 4.2%
Kent	7,523*	6,761	- 762	-10.1%
Sussex	7,519*	7,101	- 418	- 5.6%
State	34,916*	32,892	-2,024	- 5.8%

*Amended from 1986 Annual Report.

Source: Statistician, Family Court

FAMILY COURT
FISCAL YEAR 1987
TOTAL CASES
WORKLOAD
EXPLANATORY NOTES

1. The unit of count in Family Court adult criminal, juvenile delinquency, and civil cases is the filing.
2. A criminal or delinquency filing is defined as one incident filed against one individual. Each incident is counted separately, so that three incidents brought before the Court on a single individual are counted as three criminal or delinquency filings.
 - a. A single criminal or delinquency filing may be comprised of single or multiple charges relating to a single incident.
 - b. A criminal filing is received by the Court in the form of an information or a complaint, and a delinquency filing is received by the Court in the form of a petition or a complaint.
3. A civil filing is defined as a single civil incident filed with Family Court. A civil incident is initiated by a petition. In the instance of a divorce, although the petition may contain multiple matters ancillary to the divorce, each petition is counted as one filing.

FAMILY COURT
FISCAL YEAR 1987
ADULT CRIMINAL CASES
WORKLOAD SUMMARY

	<u>Number of Filings</u>		<u>Disposed</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
	<u>Pending 6/30/86</u>	<u>Filed</u>				
New Castle	457	2,418	2,260	615	+158	+ 34.6%
Kent	73	434	372	135	+ 62	+ 84.9%
Sussex	158	646	650	154	- 4	- 2.5%
State	688	3,498	3,282	904	+216	+ 31.4%

COMPARISON - FISCAL YEARS 1986-1987
ADULT CRIMINAL CASES
WORKLOAD

FILED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1986</u>	<u>1987</u>		
New Castle	2,132	2,418	+286	+13.4%
Kent	404	434	+ 30	+ 7.4%
Sussex	636	646	+ 10	+ 1.6%
State	3,172	3,498	+326	+10.3%

DISPOSED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1986</u>	<u>1987</u>		
New Castle	1,977	2,260	+283	+14.3%
Kent	373	372	- 1	- 0.3%
Sussex	590	650	+ 60	+10.2%
State	2,940	3,282	+342	+11.6%

FAMILY COURT
FISCAL YEAR 1987
JUVENILE DELINQUENCY CASES
WORKLOAD SUMMARY

	<u>Number of Filings</u>					
	<u>Pending</u>	<u>Filed</u>	<u>Disposed</u>	<u>Pending</u>	<u>Change In</u>	<u>% Change</u>
	<u>6/30/86</u>			<u>6/30/87</u>	<u>Pending</u>	<u>In Pending</u>
New Castle	1,152	4,366	4,181	1,337	+185	+16.1%
Kent	237	1,125	1,154	208	- 29	-12.2%
Sussex	324	1,574	1,379	519	+195	+60.2%
State	1,713	7,065	6,714	2,064	+351	+20.5%

COMPARISON - FISCAL YEARS 1986-1987
JUVENILE DELINQUENCY CASES
WORKLOAD

FILED

	<u>Number of Filings</u>			
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	4,266	4,366	+ 100	+ 2.4%
Kent	1,096	1,125	+ 29	+ 2.7%
Sussex	1,334	1,574	+ 240	+18.0%
State	6,696	7,065	+ 369	+ 5.5%

DISPOSED

	<u>Number of Filings</u>			
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	4,006	4,181	+ 175	+ 4.4%
Kent	1,023	1,154	+ 131	+12.8%
Sussex	1,374	1,379	+ 5	+ 0.4%
State	6,403	6,714	+ 311	+ 4.9%

Source: Statistician, Family Court

FAMILY COURT

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JUVENILE DELINQUENCY CASES
WORKLOAD BREAKDOWNSFILED

	<u>Number of Filings</u>		<u>Traffic</u>	<u>TOTALS</u>
	<u>Felony</u>	<u>Misdemeanor</u>		
New Castle	891 20.4%	3,218 73.7%	257 5.9%	4,366 100.0%
Kent	220 19.6%	824 73.2%	81 7.2%	1,125 100.0%
Sussex	343 21.8%	1,129 71.7%	102 6.5%	1,574 100.0%
State	1,454 20.6%	5,171 73.2%	440 6.2%	7,065 100.0%

DISPOSED

	<u>Number of Filings</u>		<u>Traffic</u>	<u>TOTALS</u>
	<u>Felony</u>	<u>Misdemeanor</u>		
New Castle	845 20.2%	3,090 73.9%	246 5.9%	4,181 100.0%
Kent	221 19.2%	838 72.6%	95 8.2%	1,154 100.0%
Sussex	301 21.8%	964 69.9%	114 8.3%	1,379 100.0%
State	1,367 20.4%	4,892 72.9%	455 6.8%	6,714 100.0%

PENDING AT END OF YEAR

	<u>Number of Filings</u>		<u>Traffic</u>	<u>TOTALS</u>
	<u>Felony</u>	<u>Misdemeanor</u>		
New Castle	322 24.1%	940 70.3%	75 5.6%	1,337 100.0%
Kent	33 15.9%	150 72.1%	25 12.0%	208 100.0%
Sussex	115 22.2%	391 75.3%	13 2.5%	519 100.0%
State	470 22.8%	1,481 71.8%	113 5.5%	2,064 100.0%

CHANGE IN PENDING

	<u>Number of Filings</u>		<u>Traffic</u>	<u>TOTALS</u>
	<u>Felony</u>	<u>Misdemeanor</u>		
New Castle	+ 46	+128	+ 11	+185
Kent	- 1	- 14	- 14	- 29
Sussex	+ 42	+165	- 12	+195
State	+ 87	+279	- 15	+351

Source: Statistician, Family Court

FAMILY COURT
FISCAL YEAR 1987
CIVIL CASES
WORKLOAD SUMMARY

	<u>Number of Filings</u>			<u>Pending</u>		<u>% Change</u>
	<u>6/30/86</u>	<u>Filed</u>	<u>Disposed</u>	<u>6/30/87</u>	<u>Change In</u> <u>Pending</u>	<u>In Pending</u>
New Castle	2,743*	13,821	12,589	3,975	+1,232	+ 44.9%
Kent	1,376*	5,222	5,235	1,363	- 13	- 1.0%
Sussex	1,241*	5,319	5,072	1,488	+ 247	+ 19.9%
State	5,360*	24,362	22,896	6,826	+1,466	+ 27.4%

COMPARISON - FISCAL YEARS 1986-1987
CIVIL CASES
WORKLOAD

FILED

	<u>Number of Filings</u>			
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	13,313*	13,821	+ 508	+ 3.8%
Kent	6,110*	5,222	- 888	-14.5%
Sussex	5,688*	5,319	- 369	- 6.5%
State	25,111*	24,362	- 749	- 3.0%

DISPOSED

	<u>Number of Filings</u>			
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	13,891*	12,589	-1,302	- 9.4%
Kent	6,127*	5,235	- 892	-14.6%
Sussex	5,555*	5,072	- 483	- 8.7%
State	25,573*	22,896	-2,677	-10.5%

*Amended from 1986 Annual Report.

Source: Statistician, Family Court

FAMILY COURT
FISCAL YEAR 1987
CIVIL CASES
WORKLOAD BREAKDOWNS

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FILED

	Divorces and Annulments	RTSC/ Other Civil Contempts	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle	2,060 14.9%	1,129 8.2%	2,914 21.1%	1,824 13.2%	1,649 12.0%	1,497 10.8%
Kent	726 13.9%	215 4.1%	1,218 23.3%	820 15.7%	563 10.8%	872 16.7%
Sussex	636 12.0%	148 2.8%	1,034 19.4%	953 17.9%	759 14.3%	781 14.7%
State	3,422 14.0%	1,492 6.1%	5,166 21.2%	3,597 14.8%	2,971 12.2%	3,150 12.9%

	Imperiling Family Visitation	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	571 4.1%	127 0.9%	70 0.5%	1,387 10.0%	13,821 100.0%
Kent	208 4.0%	46 0.9%	23 0.4%	469 9.0%	5,222 100.0%
Sussex	209 3.9%	38 0.7%	26 0.5%	613 11.5%	5,319 100.0%
State	988 4.1%	211 0.9%	119 0.5%	2,469 10.1%	24,362 100.0%

DISPOSED

	Divorces and Annulments	RTSC/ Other Civil Contempts	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle	1,858 14.8%	1,085 8.6%	2,590 20.6%	1,676 13.3%	1,337 10.6%	1,441 11.5%
Kent	645 12.3%	199 3.8%	1,256 24.0%	825 15.8%	601 11.5%	879 16.8%
Sussex	614 12.1%	119 2.3%	986 19.4%	882 17.4%	737 14.5%	760 15.0%
State	3,117 13.6%	1,403 6.1%	4,832 21.1%	3,383 14.8%	2,675 11.7%	3,080 13.5%

	Imperiling Family Visitation	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	571 4.5%	67 0.5%	42 0.3%	1,301 10.3%	12,589 100.0%
Kent	226 4.3%	50 1.0%	21 0.4%	475 9.1%	5,235 100.0%
Sussex	178 3.5%	42 0.8%	34 0.7%	594 11.7%	5,072 100.0%
State	975 4.3%	159 0.7%	97 0.4%	2,370 10.4%	22,896 100.0%

RTSC = Rule to Show Cause

Source: Statistician, Family Court

FAMILY COURT

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FISCAL YEAR 1987

CIVIL CASES

WORKLOAD BREAKDOWNS (CONTINUED)

PENDING AT END OF YEAR

	<u>Divorces and Annulments</u>	<u>RTSC/ Other Civil Contempts</u>	<u>New Non-Support</u>	<u>Support Arrearages</u>	<u>Support Modifications</u>	<u>Custody</u>
New Castle	1,072 27.0%	92 2.3%	898 22.6%	416 10.5%	541 13.6%	402 10.1%
Kent	377 27.7%	39 2.9%	299 21.9%	211 15.5%	105 7.7%	185 13.6%
Sussex	328 22.1%	54 3.6%	359 24.1%	239 16.1%	169 11.4%	133 8.9%
State	1,777 26.0%	185 2.7%	1,556 22.8%	866 12.7%	815 11.9%	720 10.6%

	<u>Visitation</u>	<u>Imperiling Family Relations</u>	<u>Adoptions</u>	<u>Terminations of Parental Rights</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	162 4.1%	81 2.0%	61 1.5%	71 1.8%	179 4.5%	3,975 100.0%
Kent	41 3.0%	8 0.6%	14 1.0%	14 1.0%	70 5.1%	1,363 100.0%
Sussex	48 3.2%	11 0.7%	31 2.1%	24 1.6%	92 6.2%	1,488 100.0%
State	251 3.7%	100 1.5%	106 1.6%	109 1.6%	341 5.0%	6,826 100.0%

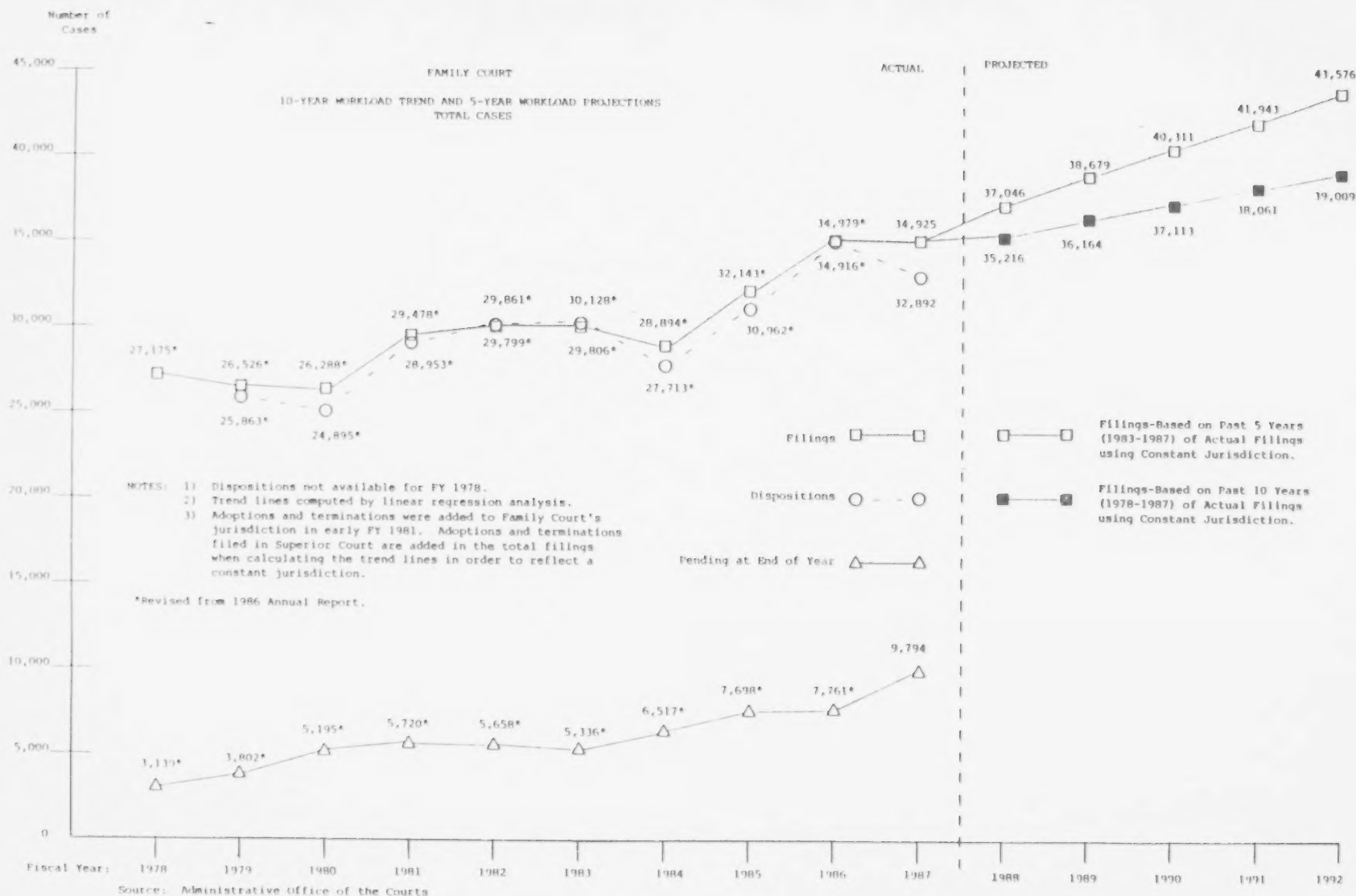
CHANGE IN PENDING

	<u>Divorces and Annulments</u>	<u>RTSC/ Other Civil Contempts</u>	<u>New Non-Support</u>	<u>Support Arrearages</u>	<u>Support Modifications</u>	<u>Custody</u>
New Castle	+202	+ 44	+324	+148	+312 -	+ 56
Kent	+ 81	+ 16	- 38	- 5	- 38	- 7
Sussex	+ 22	+ 29	+ 48	+ 71	+ 22	+ 21
State	+305	+ 89	+334	+214	+296	+ 70

	<u>Visitation</u>	<u>Imperiling Family Relations</u>	<u>Adoptions</u>	<u>Terminations of Parental Rights</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	0	- 28	+ 60	+ 28	+ 86	+1,232
Kent	- 18	+ 4	- 4	+ 2	- 6	- 13
Sussex	+ 31	- 4	- 4	- 8	+ 19	+ 247
State	+ 13	- 28	+ 52	+ 22	+ 99	+1,466

RTSC = Rule to Show Cause

Source: Statistician, Family Court



FAMILY COURT
FISCAL YEAR 1987
ARBITRATION
EXPLANATORY NOTES

1. Arbitration is an informal proceeding in which a specially trained hearing officer attempts to resolve juvenile delinquency cases involving minor charges and adult criminal cases involving selected misdemeanors.
2. Family Court decides according to established criteria if a case should be prosecuted at a formal hearing or if it should be referred to the Arbitration Unit.
3. A hearing officer determines if the case should be dismissed, sent to a formal hearing, or kept open. A case is kept open if a defendant is required to fulfill conditions set by the officer and agreed to by the defendant.
4. The complainant, victim, defendant, or parent has ten (10) days to request a review of the disposition. The review is done by a Deputy Attorney General, who either upholds the disposition or decides that the matter should go to a formal hearing.

FAMILY COURT
FISCAL YEAR 1987
ARBITRATION ACTIVITY

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WORKLOAD SUMMARY

	<u>Pending 6/30/86</u>	<u>Filed</u>	<u>Disposed</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>	<u>Placed On Conditions</u>
New Castle	463	2,282	2,216	529	+ 66	+ 14.3%	1,271
Kent	32	611	556	87	+ 55	+171.9%	487
Sussex	181	589	603	167	- 14	- 7.7%	477
State	676	3,482	3,375	783	+107	+ 15.8%	2,235

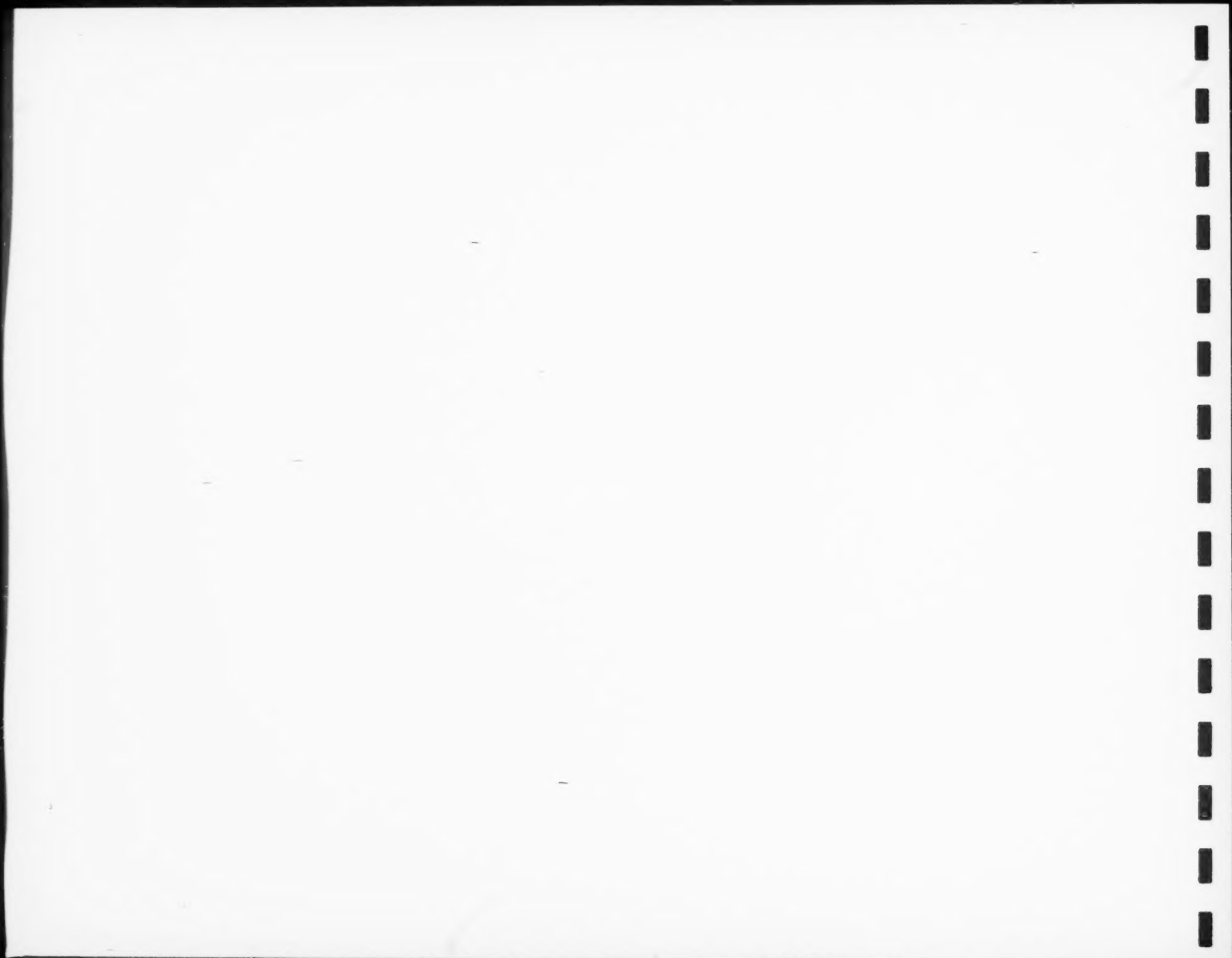
COMPARISON - FISCAL YEARS 1986-1987
WORKLOAD

<u>Filed</u>	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,034	2,282	+248	+12.2%
Kent	528	611	+ 83	+15.7%
Sussex	582	589	+ 7	+ 1.2%
State	3,144	3,482	+338	+10.8%

<u>Disposed</u>	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,866	2,216	+350	+18.8%
Kent	538	556	+ 18	+ 3.3%
Sussex	507	603	+ 96	+18.9%
State	2,911	3,375	+464	+15.9%

<u>Placed On Conditions</u>	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,280	1,271	- 9	- 0.7%
Kent	425	487	+ 62	+14.6%
Sussex	400	477	+ 77	+19.2%
State	2,105	2,235	+130	+ 6.2%

Source: Family Court Statistician



Court of Common Pleas

COURT OF COMMON PLEAS

Legal Authorization

The state Court of Common Pleas was created by 10 Delaware Code, Chapter 13, effective July 5, 1973.

Geographic Organization

The Court of Common Pleas sits in each of the three counties at the respective county seats.

Legal Jurisdiction

The Court of Common Pleas has statewide jurisdiction which includes concurrent jurisdiction with Superior Court in civil actions where the amount involved, exclusive of interest, does not exceed \$15,000 on the complaint. There is no limitation in amount on counterclaim. All civil cases are tried without a jury.

The Court has criminal jurisdiction over all misdemeanors occurring in the State of Delaware except drug-related cases (other than possession of marijuana), and those occurring within the corporate limits of the City of Wilmington. It also is responsible for all preliminary hearings. Jury trial is available to defendants but in New Castle County jury trials are referred to Superior Court for disposition.

Judges

There are five Judges of the Court of Common Pleas, of which three are to be residents of New Castle County, one of Kent County and one of Sussex County. They are appointed by the Governor with the consent of the Senate for 12-year terms. They must have been actively engaged in the general practice of law in the State of Delaware for at least five years and must be citizens of the State. A majority of not more than one Judge may be from the same political party. The Judge who has seniority in service is to serve as Chief Judge.

Support Personnel

Personnel are appointed by the Chief Judge of the Court of Common Pleas, including a Court Administrator (Chief Clerk) and one Clerk of the Court for each county. Other employees as are necessary are also added, including bailiffs, court reporters, secretaries, clerks, presentence officers, etc.

Caseload Trend

There were 21,413 criminal filings in FY 1987, which was 20.0% above the 17,841 criminal filings in FY 1986. The number of criminal filings in FY 1987 was more than double the number during FY 1981, which was just six years earlier, when there were 10,702 criminal filings. Criminal dispositions followed a similar course, rising by 16.3% from 17,521 in FY 1986 to 20,381 in FY 1987. Criminal dispositions nearly doubled in the six-year period from FY 1981 to FY 1987, increasing by 94.4% from 10,483 in FY 1981 to 20,381 in FY 1987. There was a similar increase in the criminal pending, which rose to a record level of 3,863 at the end of FY 1987 and more than doubled between FY 1981 and FY 1987.

Civil case filings and civil pending at the end of the year both decreased between FY 1986 and FY 1987. These decreases were due, in large part, to decreases in New Castle County from the record levels of FY 1986. Civil dispositions rose, however, from 4,630 in FY 1986 to a record level of 5,271 in FY 1987; this was an increase of 13.9%. This is due, in great part, to a rise in New Castle County, which increased by 16.6%, from 3,662 in FY 1986 to 4,268 in FY 1987.

COURT OF COMMON PLEAS

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JUDICIARY

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Chief Judge

Hon. Robert H. Wahl (D, 9/14/96)
Beulah U. Goldsborough, Secretary
(571-2412)

Resident Judge

Hon. William C. Bradley, Jr. (D, 9/29/88)
Peggy Papili, Secretary
(571-2410)
Hon. Arthur F. DiSabatino (R, 6/27/97)
Margaret Renai, Secretary
(571-2411)

Resident Judge

Hon. Merrill C. Trader (R, 9/14/96)
Mary Elyn Massey, Secretary
(736-4617)

Resident Judge

Hon. Paul E. Ellis (D, 8/28/97)
Katherine Truitt, Secretary
(856-5591)

COURT OF COMMON PLEAS

Court Administrator (571-2804)
Carole B. Kirshner
Vacant, Secretary
Joan Stadelman, Account Clerk

NEW CASTLE COUNTY (571-2430)

Court of Common Pleas
Courthouse
10th & King Streets
Wilmington, DE 19801

Clerks of Court
Frederick Kirch

Deputy Clerks
Angeline Pineault, Chief
Elizabeth Jonklert
Catherine Wharton

Court Reporters (571-2863)
Carol Schatzman
Jacalyn Aff
Cheryl Simmons

Presentence Officers (571-3834)
John Jaremchuk, Jr., Chief

Bailiffs
Allan Rogers, Chief
Richard Hurst

KENT COUNTY (736-4618)

Court of Common Pleas
Courthouse
The Green
Dover, DE 19901

Ruth Biddle

Anna Benton

Shella Dougherty

David Reid

SUSSEX COUNTY (856-5333)

Court of Common Pleas
Courthouse
The Circle
Georgetown, DE 19947

Doris Wilkins

Joyce Betts

Raymond Kenney

Substance Abuse
Coordinating Counselor
Shirley Fish

Donald Beebe

COURT OF COMMON PLEAS

PAGE
=126=FISCAL YEAR 1987
CRIMINAL CASES*
WORKLOAD SUMMARY

	<u>Pending 6/30/86</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	1,745	12,563	12,225	2,083	+ 338	+19.4%
Kent	530	4,636	4,454	712	+ 182	+34.3%
Sussex	<u>556</u>	<u>4,214</u>	<u>3,702</u>	<u>1,068</u>	<u>+ 512</u>	<u>+92.1%</u>
State	2,831	21,413	20,381	3,863	+1,032	+36.5%

COMPARISON - FISCAL YEARS 1986-1987
CRIMINAL CASES*
WORKLOADFILINGS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	10,741	12,563	+1,822	+17.0%
Kent	3,765	4,636	+ 871	+23.1%
Sussex	<u>3,335</u>	<u>4,214</u>	<u>+ 879</u>	<u>+26.4%</u>
State	17,841	21,413	+3,572	+20.0%

DISPOSITIONS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	10,519	12,225	+1,706	+16.2%
Kent	3,615	4,454	+ 839	+23.2%
Sussex	<u>3,387</u>	<u>3,702</u>	<u>+ 315</u>	<u>+ 9.3%</u>
State	17,521	20,381	+2,860	+16.3%

*The unit of count for criminal cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

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=127=FISCAL YEAR 1987
CRIMINAL CASES*
WORKLOAD BREAKDOWNSFILINGS

	Original**	Optional Transfers#	Mandatory Transfers##	Reduced to Misdemeanor@	TOTALS	Preliminary Hearings
New Castle	355 2.8%	11,187 89.1%	472 3.8%	549 4.4%	12,563 100.0%	3,908
Kent	155 3.4%	4,053 87.4%	401 8.7%	27 0.6%	4,636 100.0%	1,830
Sussex	281 6.7%	3,090 73.3%	600 14.2%	243 5.8%	4,214 100.0%	2,314
State	791 3.7%	18,330 85.6%	1,473 6.9%	819 3.8%	21,413 100.0%	8,052

DISPOSITIONS

	Jury	Non-Jury	TOTALS
New Castle	0 0.0%	12,225 100.0%	12,225 100.0%
Kent	122 2.7%	4,332 97.3%	4,454 100.0%
Sussex	31 0.8%	3,671 99.2%	3,702 100.0%
State	153 0.8%	20,228 99.2%	20,381 100.0%

PENDING AT END OF YEAR

	Capiases	Other	TOTALS
New Castle	1,163 55.8%	920 44.2%	2,083 100.0%
Kent	78 11.0%	634 89.0%	712 100.0%
Sussex	117 11.0%	951 89.0%	1,068 100.0%
State	1,358 35.2%	2,505 64.8%	3,863 100.0%

CHANGE IN PENDING

	Capiases	Other	TOTALS
New Castle	+228	+110	+ 338
Kent	+ 14	+168	+ 182
Sussex	+ 42	+470	+ 512
State	+284	+748	+1,032

*The unit of count in criminal cases is the charge. For example, a defendant brought before the Court on 3 charges would be counted as 3 cases.

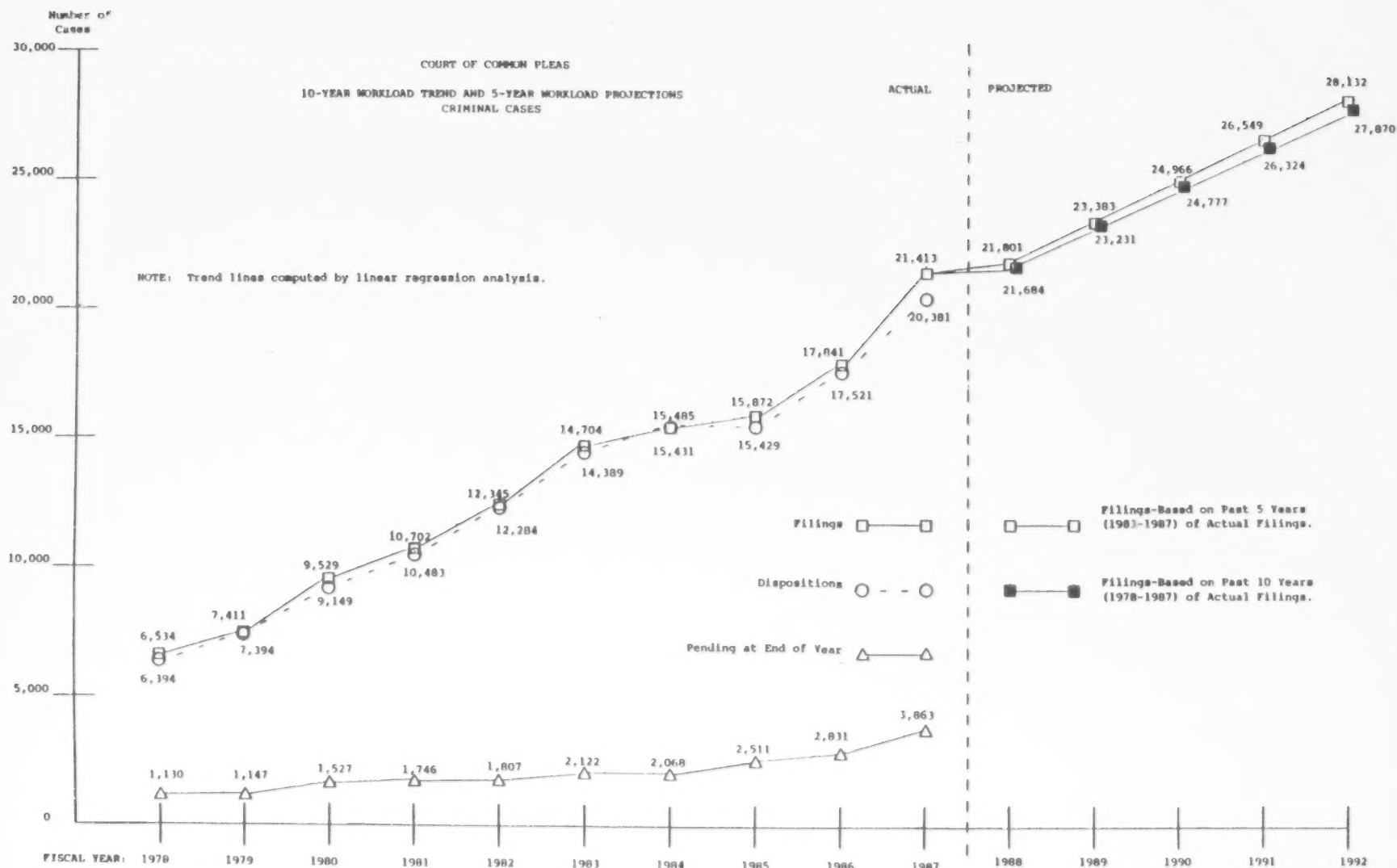
**Charges filed initially in the Court of Common Pleas.

#Charges filed originally in Justice of the Peace Courts which were transferred to the Court of Common Pleas at the option of the defendant.

##Charges originally filed in Justice of the Peace Courts which by statute must be transferred to the Court of Common Pleas.

@Felon charges brought before the Court of Common Pleas for preliminary hearing which are reduced to misdemeanors and pled guilty to.

Source: Court Administrator, Court of Common Pleas



Source: Administrative Office of the Courts

COURT OF COMMON PLEAS

PAGE
=129=FISCAL YEAR 1987
PRESENTENCE OFFICE
WORKLOAD SUMMARY

	Pending 6/30/86	Investigations Ordered	Investigations Completed*	Pending 6/30/87	Change In Pending	% Change In Pending
New Castle	132	373	389	116	-16	- 12.1%
Kent**	2	46	42	6	+ 4	+200.0%
Sussex**	<u>12</u>	<u>13</u>	<u>17</u>	<u>8</u>	- 4	- 33.3%
State	146	432	448	130	-16	- 11.0%

COMPARISON - FISCAL YEARS 1986-1987
PRESENTENCE OFFICE
WORKLOADINVESTIGATIONS ORDERED

	1986	1987	Change	% Change
New Castle	447	373	-74	- 16.6%
Kent**	25	46	+21	+ 84.0%
Sussex**	<u>19</u>	<u>13</u>	- 6	- 31.6%
State	491	432	-59	- 12.0%

INVESTIGATIONS COMPLETED*

	1986	1987	Change	% Change
New Castle	435	389	-46	- 10.6%
Kent**	32	42	+10	+ 31.3%
Sussex**	<u>20</u>	<u>17</u>	- 3	- 15.0%
State	487	448	-39	- 8.0%

*An investigation is considered completed when it has been both written and typed or has been otherwise closed (i.e. deceased defendant, motion for new trial granted, etc.).

**Presentence investigations for the Court of Common Pleas in Kent and Sussex Counties are done by the Superior Court Presentence Office.

Source: Court Administrator, Court of Common Pleas; Superior Court Presentence Offices, Kent and Sussex Counties.

COURT OF COMMON PLEAS

FISCAL YEAR 1987
PRESENTENCE OFFICE
PERFORMANCE

	<u>No. of Defendants Sentenced After Presentence Investigation</u>	<u>Average Time From Date Ordered to Date Written</u>	<u>Average Time From Date Written to Date Typed</u>	<u>Average Time From Date Ordered to Date Typed</u>	<u>Average Time From Date Typed to Date Sentenced</u>	<u>Average Time From Date Ordered to Date Sentenced</u>
New Castle	390	27.2 days	0.5 days	27.7 days	1.5 days	29.2 days
Kent	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Sussex	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
State	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

PRODUCTIVITY

<u>INVESTIGATIONS</u>		<u>TYPING</u>	
<u>Number of Investigations Written</u>	<u>Average Number Written Per Month</u>	<u>Number of Investigations Typed</u>	<u>Average Number Typed Per Month</u>
New Castle	389	389	32.4
Kent	N.A.	N.A.	N.A.
Sussex	N.A.	N.A.	N.A.
State	N.A.	N.A.	N.A.

N.A. = Not Applicable. This is because presentence investigations for the Court of Common Pleas in Kent County and Sussex County are done by the Superior Court Presentence Office.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1987
CIVIL CASES
WORKLOAD SUMMARY

	<u>Pending 6/30/86</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	3,577	3,866	4,268	3,175	- 402	-11.2%
Kent	224	429	394	259	+ 35	+15.6%
Sussex	246	623	609	260	+ 14	+ 5.7%
State	4,047	4,918	5,271	3,694	- 353	- 8.7%

COMPARISON - FISCAL YEARS 1986-1987
CIVIL CASES
WORKLOAD

FILINGS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	4,697	3,866	- 831	-17.7%
Kent	438	429	- 9	- 2.1%
Sussex	546	623	+ 77	+14.1%
State	5,681	4,918	- 763	-13.4%

DISPOSITIONS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,662	4,268	+606	+16.6%
Kent	425	394	- 31	- 7.3%
Sussex	543	609	+ 66	+12.2%
State	4,630	5,271	+641	+13.9%

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1987
CIVIL CASES
WORKLOAD BREAKDOWNS

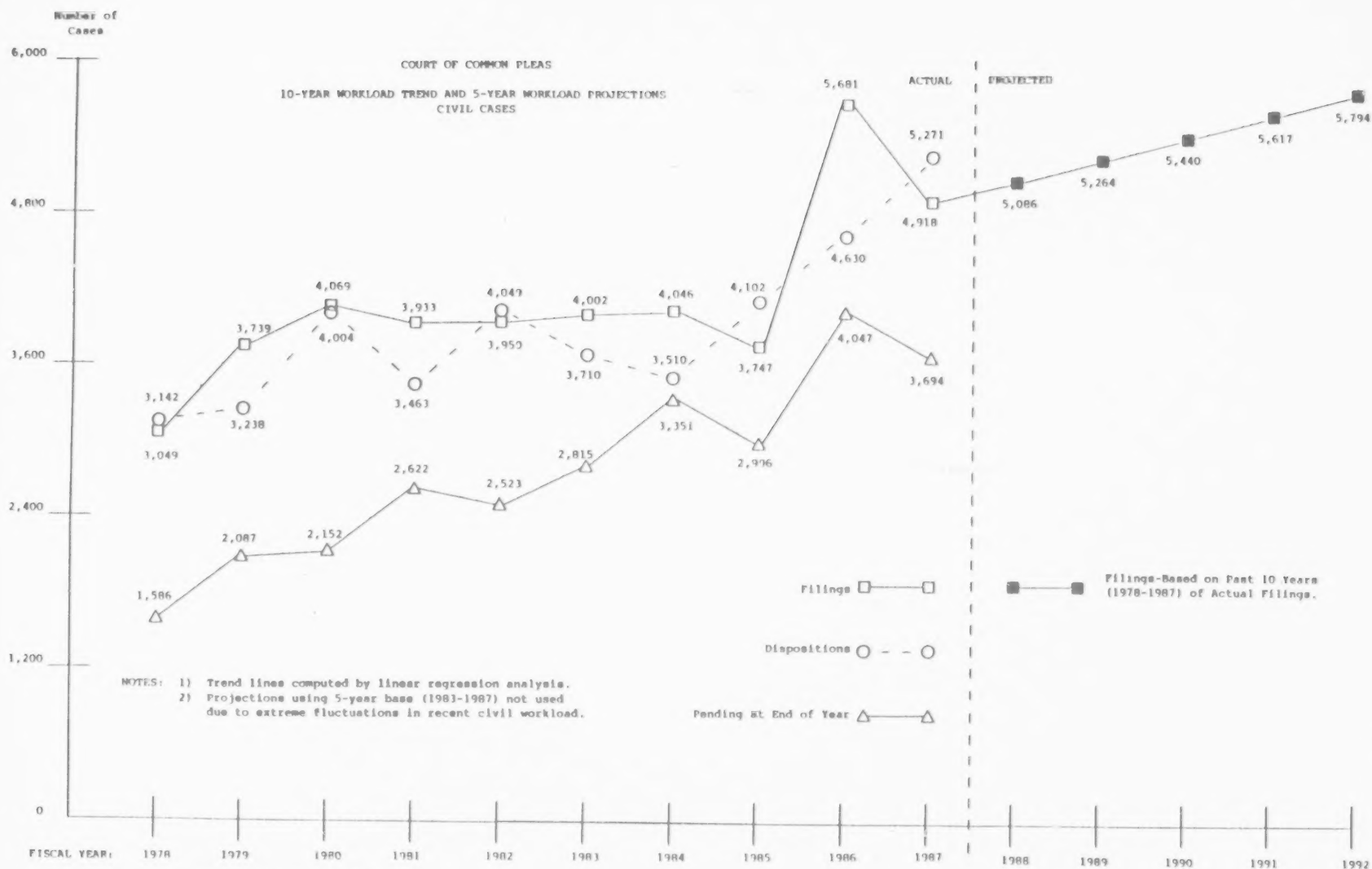
FILINGS

	<u>Complaints</u>		<u>Civil Judgments, Name Changes</u>		<u>TOTALS</u>	
New Castle	3,659	94.6%	207	5.4%	3,866	100.0%
Kent	377	87.9%	52	12.1%	429	100.0%
Sussex	569	91.3%	54	8.7%	623	100.0%
State	4,605	93.6%	313	6.4%	4,918	100.0%

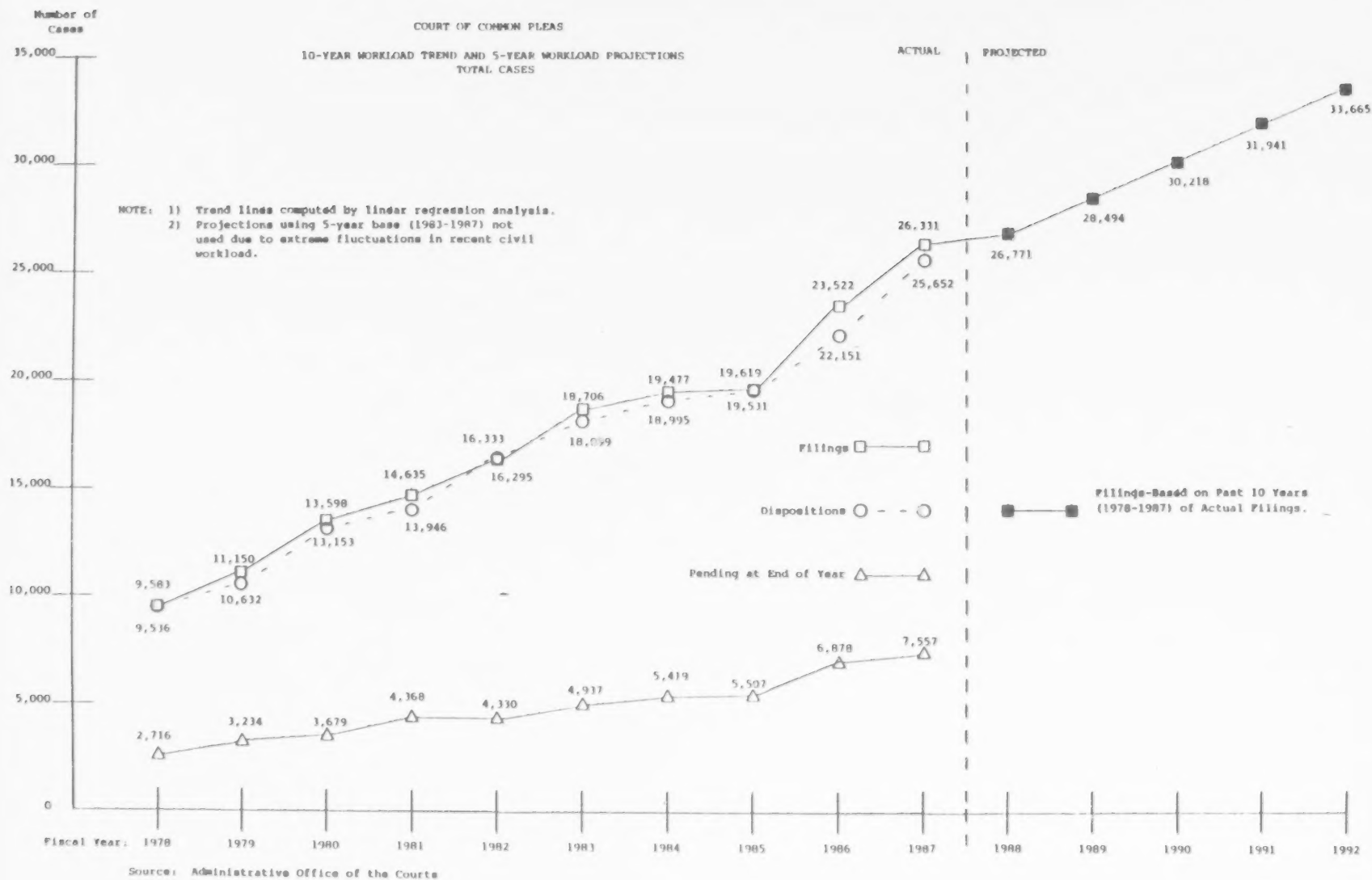
DISPOSITIONS

	<u>By Court</u>		<u>By Counsel</u>		<u>TOTALS</u>	
New Castle	1,451	34.0%	2,817	66.0%	4,268	100.0%
Kent	145	36.8%	249	63.2%	394	100.0%
Sussex	178	29.2%	431	70.8%	609	100.0%
State	1,774	33.7%	3,497	66.3%	5,271	100.0%

Source: Court Administrator, Court of Common Pleas



Source: Administrative Office of the Courts



Municipal Court

MUNICIPAL COURT

Legal Authorization

The Municipal Court of the City of Wilmington is authorized by 10 Delaware Code, Chapter 17.

Geographic Organization

The Court has jurisdiction within the geographic boundaries of Wilmington.

Legal Jurisdiction

The Municipal Court has criminal jurisdiction over traffic, misdemeanor, and municipal ordinances concurrent with the Justice of the Peace Courts and the Court of Common Pleas. The Court conducts preliminary hearings for both felonies and drug-related misdemeanors. Jury trials are not available. The Court has a Violations Division which processes all moving and parking citations.

Judges

- Number - There are 3 Judges of the Municipal Court of Wilmington; at present two are full time and one is part time. Not more than 2 of the Judges may be members of the same political party.
- Appointment - The Judges are appointed by the Governor, with the approval by the Senate.
- Tenure - Judges are appointed for 12-year terms.
- Qualifications - The Judges must be licensed to practice law in the State of Delaware for 5 years preceding appointment.

Support Personnel

The Chief Judge of the Municipal Court appoints a Chief Clerk who may in turn appoint Deputies.

Caseload Trend

While criminal, traffic and total filings all increased during FY 1987, there were also increases in criminal, traffic, and total dispositions during FY 1987. The activity in Municipal Court during FY 1987 actually led to a most diverse combination of changes in pending.

Criminal filings increased by 7.4% from 12,740 in FY 1986 to 13,685 in FY 1987. Criminal dispositions rose even more sharply, rising by 9.5% from 12,988 in FY 1986 to 14,219 in FY 1987. The greater rate of increase in dispositions than in filings led to a 33.5% decrease in criminal pending from 1,503 at the end of FY 1986 to 969 at the end of FY 1987.

There was a rise of 4.2% in traffic filings to 18,543 in FY 1987 from 17,801 in FY 1986. Traffic dispositions increased only slightly from 17,526 in FY 1986 to 17,767 in FY 1987. The result of the greater rise in traffic filings than in dispositions was a 44.4% increase in traffic pending from 1,746 at the end of FY 1986 to 2,522 at the end of FY 1987.

While criminal dispositions rose more rapidly than criminal filings even as traffic filings increased more sharply than traffic dispositions during FY 1987, the totals for criminal and traffic data for filings and dispositions were nearly the same. There was a total of 32,228 filings during FY 1987, which was less than 1% more than the 31,986 dispositions during the same period. Even as criminal pending dropped noticeably and traffic pending rose sharply during FY 1987, total pending increased only moderately from 3,249 at the end of FY 1986 to 3,491 at the end of FY 1987.

MUNICIPAL COURT
Court House
1000 King Street
Wilmington, Delaware 19801
(571-4530)

JUDICIARY

Chief Judge

Hon. Alfred Fraczkowski (R, 8/7/93)
Karen A. Brandenberger, Executive Secretary
(571-4550)

Associate Judges

Hon. Carl Goldstein (R, 6/30/94)
Joyce Vietri, Secretary
(571-4551)
Hon. Leonard L. Williams (D, 6/4/78)
(571-4551)

MUNICIPAL COURT

SUPPORT PERSONNEL

Court Commissioners

T. Roger Barton, Clerk of Court
(571-4534)

Richard O. Douglas, Deputy Clerk
(571-4540)

Furio R. Casale, Deputy Clerk
(571-4540)

Laurence L. Fitchett, Deputy Clerk
(571-4540)

Nancy L. Clark-Roberts, Deputy Clerk
(571-4540)

Lucy Gomez, Secretary
(571-4534)

Criminal Clerical Staff

Josephine Smulski

Kathy Holstein

Mary E. Devine

Debra Gibbs

Evelyn M. Smith

Jacquelyn Smith

Vacant

Janet Davis (part-time)

Kathy Craighead (part-time)

Traffic Violation Staff

Shirley Cohen

Carolyn Sylvester

Ann Collins

Kimberly Betz

Process Service

Steven Jonkiert

Bailiffs

David L. Dempsey

Gerald Nolan

Cornelius Morris

Carmen Merced

MUNICIPAL COURT

FISCAL YEAR 1987
WORKLOAD SUMMARY*

	<u>Pending 6/30/86</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
Criminal	1,503	13,685	14,219	969	-534	-35.5%
Traffic	1,746	18,543	17,767	2,522	+776	+44.4%
TOTALS	3,249	32,228	31,986	3,491	+242	+ 7.5%

COMPARISON - FISCAL YEARS 1986-1987
WORKLOAD*

FILINGS

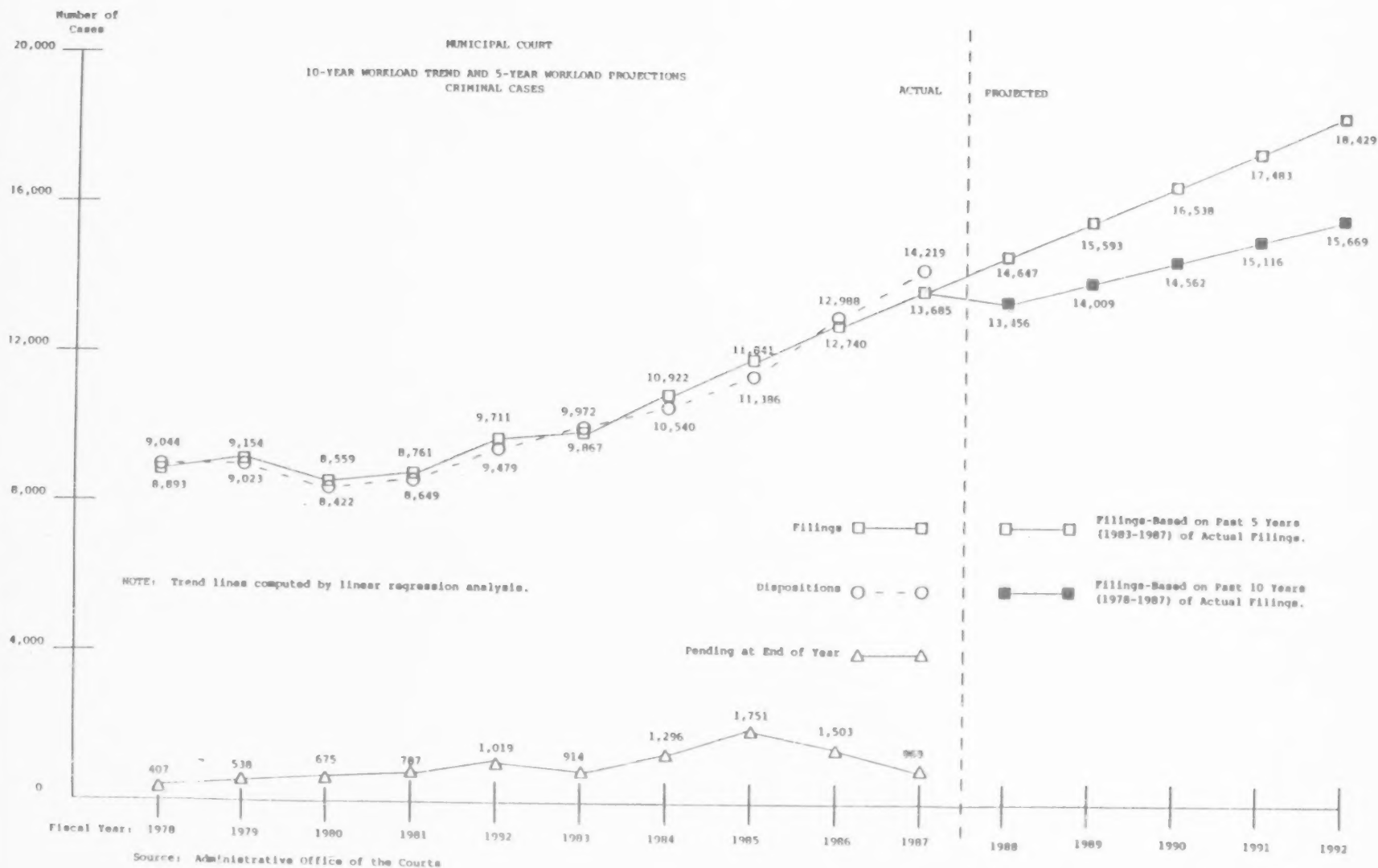
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
Criminal	12,740	13,685	+ 945	+ 7.4%
Traffic	17,801	18,543	+ 742	+ 4.2%
TOTALS	30,541	32,228	+1,687	+ 5.5%

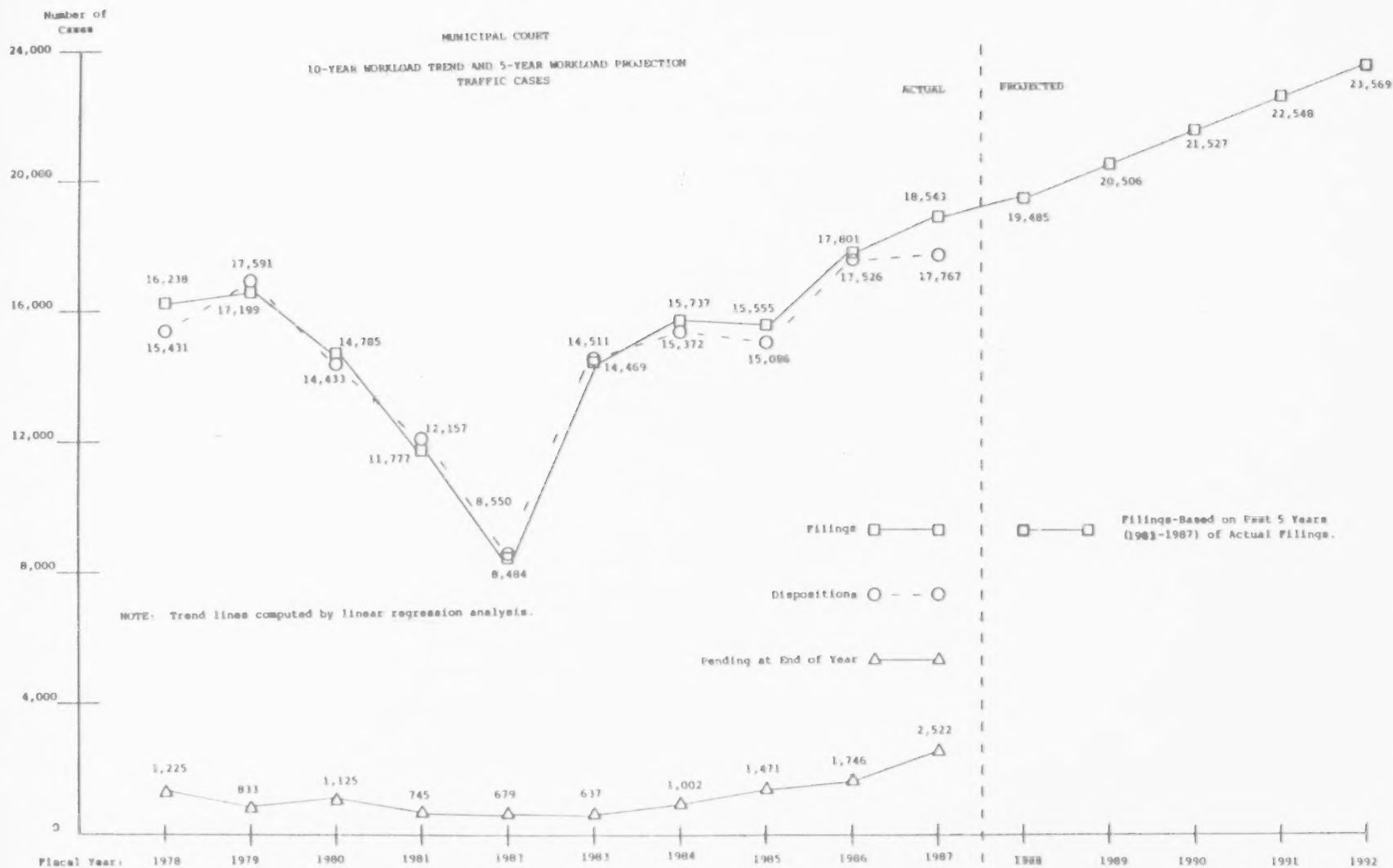
DISPOSITIONS

	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
Criminal	12,988	14,219	+1,231	+ 9.5%
Traffic	17,526	17,767	+ 241	+ 1.4%
TOTALS	30,514	31,986	+1,472	+ 4.8%

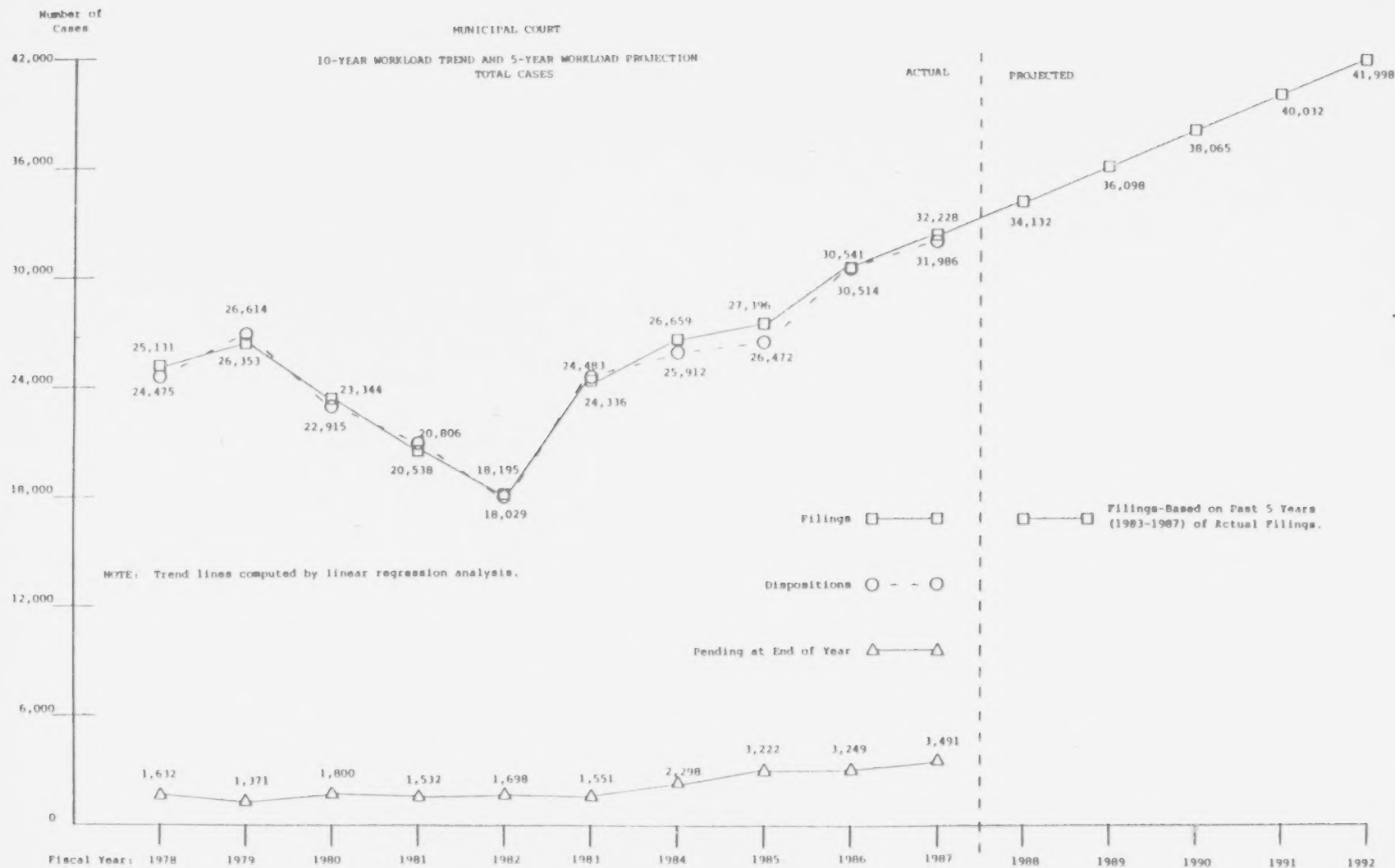
*The unit of count in Municipal Court is the charge. For example, a defendant brought before the Court on 3 charges would be counted as 3 cases.

Source: Chief Court Commissioner, Municipal Court





Source: Administrative Office of the Courts



Source: Administrative Office of the Courts



Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

Legal Authorization

The Justice of the Peace Courts are authorized by the Constitution of Delaware, Article IV, Section I.

Geographic Organization

The jurisdiction of the Courts is statewide and sessions are held throughout the State. Of the 19 Courts currently operating, 8 are in New Castle County, 4 are in Kent County, and 7 are in Sussex County.

Legal Jurisdiction

The Justice of the Peace Courts have jurisdiction over civil cases in which the amount in controversy does not exceed \$2,500. JP Courts are authorized to hear certain misdemeanors and most motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. Appeals may be taken de novo to Superior Court. The subject matter jurisdiction of the Justice of the Peace Courts is shared with the Court of Common Pleas.

Justices of the Peace

The Delaware Code authorizes a maximum of 53 Justices of the Peace. The maximum number of Justices of the Peace permitted in each county is: 24 in New Castle County, 12 in Kent County, and 17 in Sussex County. Magistrates are appointed by the Governor and confirmed by the Senate for terms of four years. A Justice of the Peace must be at least 21 years of age and a resident of the State of Delaware and of the county in which he serves. In addition to the 53 Justices of the Peace, the Governor appoints a Chief Magistrate, subject to Senate confirmation.

Support Personnel

An Administrator, two administrative officers, and a fiscal administrative officer help the Chief Magistrate direct the JP Courts on a day-to-day basis. The State provides clerks of the court, constables and other personnel for the courts.

Caseload Trend

For the second consecutive year criminal filings and dispositions both rose to new single fiscal year levels. There was an increase of 3,500 criminal filings to 172,527 in FY 1987 from 167,027 during FY 1986, a rise of 3.3%. There was a 3.5% rise in criminal dispositions from 165,212 criminal dispositions in FY 1986 to 170,946 in FY 1987 which was an increase of 5,734 dispositions. There was a rise in criminal pending from 5,495 at the end of FY 1986 to 7,076 criminal pending at the end of FY 1987, an increase of 1,581 criminal pending.

Civil filings rose by 10.7% from 25,955 during FY 1986 to 28,724 in FY 1987. The increase in civil dispositions was somewhat smaller, increasing to 27,329 during FY 1987 from 27,232 during FY 1986. The larger rate of increase in filings than in dispositions led to a 24.6% increase in civil pending from 5,675 at the end of FY 1986 to 7,070 at the end of FY 1987.

An increase in both criminal and civil activity promises an increase in total activity as well, so the increases in total filings and dispositions as well as total pending at the end of the year for FY 1987 was to be expected. Total filings rose by 4.3% to a record level of 201,251 in FY 1987 from 192,982 in FY 1986. Total dispositions also reached new record levels, increasing by 3.0% to 198,275 from 192,444 in FY 1986. Pending at the end of the year was nearly identical for both criminal and civil pending with total pending rising to 14,146 by the end of FY 1987 from 11,170 at the end of FY 1986.

JUSTICE OF THE PEACE COURTS IN DELAWARE



KEY

- Criminal and Traffic Court
- Civil Court
- ◐ Criminal, Traffic, and Civil Court

JUSTICE OF THE PEACE COURTS

<u>Court</u>	<u>Location</u>	<u>Hours Open</u>	<u>Total Hours Open Per Week</u>	<u>Jurisdiction</u>
<u>New Castle County</u>				
Court 9	Townsend	M, Tu, Th, F 8AM-4PM; W Noon-8PM	40	Criminal & Civil
Court 10	Kirkwood Highway	7 Days Per Week, 8AM-Midnight	112	Criminal
Court 11	New Castle	7 Days Per Week, 24 Hours Per Day	168	Criminal
Court 12	Newport	M-F 8:30AM-4:30PM	40	Civil
Court 13	Wilmington	M-F 8AM-4PM	40	Civil
Court 14	Wilmington	M-F 8AM-4PM	40	Criminal
Court 15	Penny Hill	M, Sat 8AM-4PM; Tu-F 8AM-Midnight	80	Criminal
Court 18	Wilmington	M-F 9AM-5PM	40	Criminal
<u>Kent County</u>				
Court 6	Harrington	M-F 8AM-4PM	40	Criminal & Civil
Court 7	Dover	7 Days Per Week, 24 Hours Per Day	168	Criminal
Court 16	Dover	M-F 8:30AM-4:30PM	40	Civil
Court 8	Smyrna	M-F 8AM-4PM	40	Criminal & Civil
<u>Sussex County</u>				
Court 1	Millsboro	M-F 8AM-4PM	40	Criminal & Civil
Court 2	Lewes	Winter: M, Tu 8AM-4PM; W-Sat 8AM-Midnight	80	Criminal & Civil
		Summer: Sun, M 8AM-4PM; Tu-Sat 8AM-Midnight	96	Criminal & Civil Court
Court 3	Georgetown	7 Days Per Week, 24 Hours Per Day	168	Criminal
Court 17	Georgetown	M-F 8AM-4PM	40	Civil
Court 4	Seaford	M-Sat 8AM-Midnight	96	Criminal
Court 19	Seaford	M-F 8AM-4PM	40	Civil
Court 5	Milford	M-F 8AM-4PM	40	Criminal & Civil

JUDICIARY

Chief Magistrate

Hon. Norman A. Barron (6/20/88)
Pamela A. Nagle, Secretary

New Castle County

Deputy Chief Magistrate

Hon. Morris Levenberg (6/30/89)

Kent County

Deputy Chief Magistrate

Hon. Charles M. Stump (6/5/88)

Sussex County

Deputy Chief Magistrate

Hon. William J. Hopkins, Jr. (4/19/86)
Hon. Thomas J. Orr (6/20/90)

New Castle County

Justices of the Peace

Hon. Andrew G. Ahern, Jr. (6/27/88)
Hon. David R. Anderson (10/6/90)
Hon. Richard L. Brandenberg (6/30/90)
Hon. William W. Brittingham (6/20/89)
Hon. Ronald E. Cheeseman (5/22/88)
Hon. Thomas E. Cole (4/16/90)
Hon. Barbara C. Hughes (6/30/89)
Hon. Lorin P. Hunt (6/27/88)
Hon. Virginia W. Johnson (6/30/90)
Hon. Ann A. Lewis (5/10/87)
Hon. Edwin L. Lord, Jr. (6/30/89)
Hon. Kathleen C. Lucas (6/30/89)
Hon. Ruth P. Malm (1/11/89)
Hon. John P. McLaughlin (5/22/88)
Hon. Mable M. Pitt (6/22/83)
Hon. Edward M. Poling (6/30/89)
Hon. William S. Rowe, Jr. (6/20/88)
Hon. Rosalie O. Rutkowski (8/5/88)
Hon. David R. Skelley (6/30/89)
Hon. Rosalind Toulson (6/2/87)
Hon. John H. Wilding (9/29/88)
Vacant
Vacant

Kent County

Justices of the Peace

Hon. Ernst M. Arndt (6/30/89)
Hon. Margret L. Barrett (6/20/86)
Hon. Helen M. Brandt (6/20/86)
Hon. George W. Kershner, III (6/30/90)
Hon. Joseph A. Knussman (6/22/87)
Hon. Ellis B. Parrott (6/10/90)
Hon. Agnes E. Pennella (7/19/87)
Hon. Russell T. Rash (6/30/89)
Hon. Alice W. Stark (9/1/89)
Hon. Wallace P. Wootten (5/9/78)
Vacant

Sussex County

Justices of the Peace

Hon. Sheila A. Blakely (7/19/87)
Hon. William A. Booth (7/1/86)
Hon. Francis G. Charles (9/30/89)
Hon. Richard D. Comly (8/28/89)
Hon. Edward G. Davis (7/2/87)
Hon. Walter J. Godwin (6/30/88)
Hon. Jeffrey W. Hague (7/1/88)
Hon. Robert F. Handy (6/5/88)
Hon. Thomas W. Hutson (6/27/91)
Hon. Howard W. Mulvaney, III (7/19/87)
Hon. Almetia J. Murray (7/1/90)
Hon. William F. Plack, Jr. (6/20/90)
Hon. Edward G. Pollard, Jr. (6/30/88)
Hon. Abigayle E. Truitt (7/2/87)
Vacant

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Administrative Office
61 Christiana Road
New Castle, DE 19720
(323-4530)

Administrator
Michael E. McLaughlin
Anne Amalfitano, Secretary

Administrative Officers
Thomas W. Nagle
Mary E. Cooper
Christine H. Roberts, Clerk

Fiscal Administrative Officer
Vacant

Administrative Assistant
Sandra L. Coleman

COURT 9

R.D. 5355, Summit Bridge
Townsend, DE 19734
(378-9533)

Clerk of the Court

Agnes B. Thompson

COURT 6

Post Office Box 3
Route 13
Harrington, DE 19952
(398-8247)

Clerk of the Court

Betty Pleasanton

SUSSEX COUNTY

COURT 1

Post Office Box 192
Route 113
Millsboro, DE 19966
(934-7268)

Clerk of the Court

Debbie Vickers

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Court 10

2207 St. James Church Road
Wilmington, DE 19808
(995-8640)

Clerk of the Court
Caroline F. Pini

COURT 11

61 Christiana Road
New Castle, DE 19720
(323-4450)

Clerk of the Court
Nancy Snipes

COURT 12

1500 East Newport Pike
Wilmington, DE 19804
(994-9314, 994-9652)

Clerk of the Court
Ann Marie Ellingsworth

KENT COUNTY

COURT 7

Post Office Box 1081
Railroad & Lookerman Streets
Dover, DE 19901
(736-4554, 736-4555)

Clerk of the Court
Marjorie Nolette

Data Entry Tech.
Monika Rash

COURT 8

115 East North Street
Smyrna, DE 19977
(653-7083)

Clerk of the Court
Eunice C. Ridgeway

COURT 16

Post Office Box 1081
Railroad & Lookerman Streets
Dover, DE 19901
(736-4316)

Clerk of the Court
Sheila Fox

SUSSEX COUNTY

COURT 2

Post Office Box 492
Route 9
Lewes, DE 19958
(645-6163)

Clerk of the Court
Joanne R. Ash

COURT 3

Post Office Box 605
Route 113
Georgetown, DE 19947
(856-1445)

Clerk of the Court
Barbara E. Adams

COURT 4

Post Office Box 718
817 Norman Eskridge Highway
Seaford, DE 19973
(629-8101)

Clerk of the Court
Mary Lee Lowe

JUSTICE OF THE PEACE COURTS
SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

COURT 13

Elbert N. Carvel Delaware State Bldg.
820 North French Street
Wilmington, DE 19801
(571-2550)

Clerk of the Court
Claire Lucas

COURT 14

Elbert N. Carvel Delaware State Bldg.
820 North French Street
Wilmington, DE 19801
(571-2552)

Clerk of the Court
Margaret Kenney

COURT 15

716 Philadelphia Pike
Wilmington, DE 19809
(764-4142)

Clerk of the Court
Geraldine McLaughlin

COURT 18

Multi-Purpose Criminal Justice Facility
Post Office Box 9279
1301 East 12th Street
Wilmington, DE 19809
(429-7740, 429-7741)

Clerk of the Court
Edna Conner

KENT COUNTY

SUSSEX COUNTY

COURT 5

Post Office Box 254
715 S. DuPont Blvd.
Milford, DE 19963
(422-8871)

Clerk of the Court
Leah Betts

COURT 17

Post Office Box 605
Route 113
Georgetown, DE 19947
(856-1447)

Clerk of the Court
Wanda Abbott

COURT 19

Post Office Box 718
817 Norman Eskridge Highway
Seaford, DE 19973
(629-5433)

Clerk of the Court
Ida Mae Friedel

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY CAPIAS CONTROL CENTER
Justice of the Peace Court No. 11
61 Christiana Road
New Castle, DE 19720
(323-4451)

Clerk of the Court
Galle Kerrigan

KENT COUNTY CAPIAS CONTROL CENTER
Justice of the Peace Court No. 7
Post Office Box 1081
Railroad & Lockerman Streets
Dover, DE 19901
(736-4353)

Clerk of the Court
Rella Goodson

SUSSEX COUNTY CAPIAS CONTROL CENTER
Justice of the Peace Court No. 3
Post Office Box 605
Route 113
Georgetown, DE 19947
(856-5222)

Clerk of the Court
Shirley Johnson

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1987
CRIMINAL AND TRAFFIC CASES*
WORKLOAD SUMMARY

	Pending 6/30/86	Filings	Dispositions	Pending 6/30/87	Change In Pending	% Change In Pending
<u>New Castle County</u>						
Court 9	19	6,925	6,928	16	- 3	- 15.8%
Court 10	61	19,006	18,986	81	+ 20	+ 32.8%
Court 11	1,976	35,973	35,690	2,250	+ 283	+ 14.4%
Court 14**	0	0	0	0	0	-
Court 15	0	16,626	16,626	0	0	-
Court 18	0	5,653	5,653	0	0	-
<u>Kent County</u>						
Court 6	7	5,864	5,871	0	- 7	-100.00%
Court 7	452	30,694	30,499	647	+ 195	+ 43.2%
Court 8	175	2,677	2,662	170	- 5	- 2.9%
<u>Sussex County</u>						
Court 1	4	2,749	2,739	14	+ 10	+250.0%
Court 2	2,463	15,240	14,244	3,459	+ 996	+ 40.4%
Court 3	222	13,152	13,129	245	+ 23	+ 10.4%
Court 4	56	15,002	14,913	145	+ 89	+158.9%
Court 5	69	2,966	2,986	49	- 20	- 29.0%
State	5,495	172,527	170,946	7,076	+1,581	+ 28.8%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1987
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS

FILINGS

	<u>Title 7</u> <u>Fish/Game</u>	<u>Title 11</u> <u>Criminal</u>	<u>Title 21</u> <u>Traffic</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
<u>New Castle County</u>					
Court 9	246 3.6%	140 2.0%	6,392 92.3%	147 2.1%	6,925 100.0%
Court 10	333 1.8%	2,732 14.4%	14,615 76.9%	1,326 7.0%	19,006 100.0%
Court 11	431 1.2%	7,992 22.2%	25,127 69.9%	2,423 6.7%	35,973 100.0%
Court 14**	0 -	0 -	0 -	0 -	0 -
Court 15	58 0.4%	1,139 6.9%	15,429 92.8%	0 0.0%	16,626 100.0%
Court 18	0 0.0%	4,252 75.2%	495 8.8%	906 16.0%	5,653 100.0%
<u>Kent County</u>					
Court 6	10 0.2%	537 9.2%	5,214 88.9%	103 1.8%	5,864 100.0%
Court 7	366 1.2%	5,051 16.5%	23,907 77.9%	1,370 4.5%	30,694 100.0%
Court 8	83 3.1%	457 17.1%	1,952 72.9%	185 6.9%	2,677 100.0%
<u>Sussex County</u>					
Court 1	191 6.9%	300 10.9%	2,179 79.3%	79 2.9%	2,749 100.0%
Court 2	162 1.1%	750 4.9%	14,119 92.7%	209 1.4%	15,240 100.0%
Court 3	118 0.9%	5,279 40.1%	7,326 55.7%	429 3.3%	13,152 100.0%
Court 4	144 1.0%	1,717 11.5%	12,859 85.7%	282 1.9%	15,002 100.0%
Court 5	43 1.5%	583 19.7%	2,225 75.0%	115 3.9%	2,966 100.0%
State	2,185 1.3%	30,929 17.9%	131,839 76.4%	7,574 4.4%	172,527 100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1987
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS (CONTINUED)DISPOSITIONS

	<u>Title 7</u> <u>Fish/Game</u>	<u>Title 11</u> <u>Criminal</u>	<u>Title 21</u> <u>Traffic</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
<u>New Castle County</u>					
Court 9	243 3.5%	130 1.9%	6,414 92.6%	141 2.0%	6,928 100.0%
Court 10	337 1.8%	2,812 14.8%	14,518 76.5%	1,319 6.9%	18,986 100.0%
Court 11	402 1.1%	7,861 22.0%	25,036 70.2%	2,391 6.7%	35,690 100.0%
Court 14**	0 -	0 -	0 -	0 -	0 -
Court 15	58 0.3%	1,139 6.9%	15,429 92.8%	0 0.0%	16,626 100.0%
Court 18	0 0.0%	4,252 75.2%	495 8.8%	906 16.0%	5,653 100.0%
<u>Kent County</u>					
Court 6	10 0.2%	537 9.1%	5,221 88.9%	103 1.8%	5,871 100.0%
Court 7	370 1.2%	4,997 16.4%	23,784 78.0%	1,348 4.4%	30,499 100.0%
Court 8	83 3.1%	460 17.2%	1,953 72.8%	186 6.9%	2,682 100.0%
<u>Sussex County</u>					
Court 1	191 7.0%	300 11.0%	2,169 79.2%	79 2.9%	2,739 100.0%
Court 2	154 1.1%	616 4.3%	13,274 93.2%	200 1.4%	14,244 100.0%
Court 3	119 0.9%	5,280 40.2%	7,302 55.6%	428 3.3%	13,129 100.0%
Court 4	146 1.0%	1,716 11.5%	12,769 85.6%	282 1.9%	14,913 100.0%
Court 5	38 1.3%	614 20.6%	2,215 74.2%	119 4.0%	2,986 100.0%
	2,151 1.3%	30,714 18.0%	130,579 76.4%	7,502 4.4%	170,946 100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1987
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS

CHANGE IN PENDING

	<u>Title 7</u> <u>Fish/Game</u>	<u>Title 11</u> <u>Criminal</u>	<u>Title 21</u> <u>Traffic</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
<u>New Castle County</u>					
Court 9	+ 3	+ 10	- 22	+ 6	- 3
Court 10	- 4	- 80	+ 97	+ 7	+ 20
Court 11	+ 29	+131	+ 91	+ 32	+ 283
Court 14**	0	0	0	0	0
Court 15	0	0	0	0	0
Court 18	0	0	0	0	0
<u>Kent County</u>					
Court 6	0	0	- 7	0	- 7
Court 7	- 4	+ 54	+123	+ 22	+ 195
Court 8	0	- 3	- 1	- 1	- 5
<u>Sussex County</u>					
Court 1	0	0	+ 10	0	+ 10
Court 2	+ 8	+134	+845	+ 9	+ 996
Court 3	- 1	- 1	+ 24	+ 1	+ 23
Court 4	- 2	+ 1	+ 90	0	+ 89
Court 5	+ 5	- 31	+ 10	- 4	- 20
State	+ 34	+215	+1,260	+ 72	+1,581

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1987
CRIMINAL AND TRAFFIC CASES*
TYPES OF DISPOSITIONS

	By Mail-In Fine	By Court Appearance	By Counsel Appearance	TOTALS
<u>New Castle County</u>				
Court 9	5,891 85.0%	889 12.8%	148 2.1%	6,928 100.0%
Court 10	8,665 45.6%	9,946 52.4%	375 2.0%	18,986 100.0%
Court 11	11,601 32.5%	22,480 63.0%	1,609 4.5%	35,690 100.0%
Court 14**	0 -	0 -	0 -	0 -
Court 15	7,317 44.0%	9,309 56.0%	0 0.0%	16,626 100.0%
Court 18	0 0.0%	5,653 100.0%	0 0.0%	5,653 100.0%
<u>Kent County</u>				
Court 6	4,288 73.0%	1,550 26.4%	33 0.6%	5,871 100.0%
Court 7	15,497 50.8%	14,249 46.7%	753 2.5%	30,499 100.0%
Court 8	1,012 37.7%	1,468 54.7%	202 7.5%	2,682 100.0%
<u>Sussex County</u>				
Court 1	1,742 63.6%	981 35.8%	16 0.6%	2,739 100.0%
Court 2	10,269 72.1%	3,975 27.9%	0 0.0%	14,244 100.0%
Court 3	3,370 25.7%	9,759 74.3%	0 0.0%	13,129 100.0%
Court 4	8,879 59.5%	6,034 40.5%	0 0.0%	14,913 100.0%
Court 5	1,149 38.5%	1,818 60.9%	19 0.6%	2,986 100.0%
State	79,680 46.6%	88,111 51.6%	3,155 1.8%	170,946 100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

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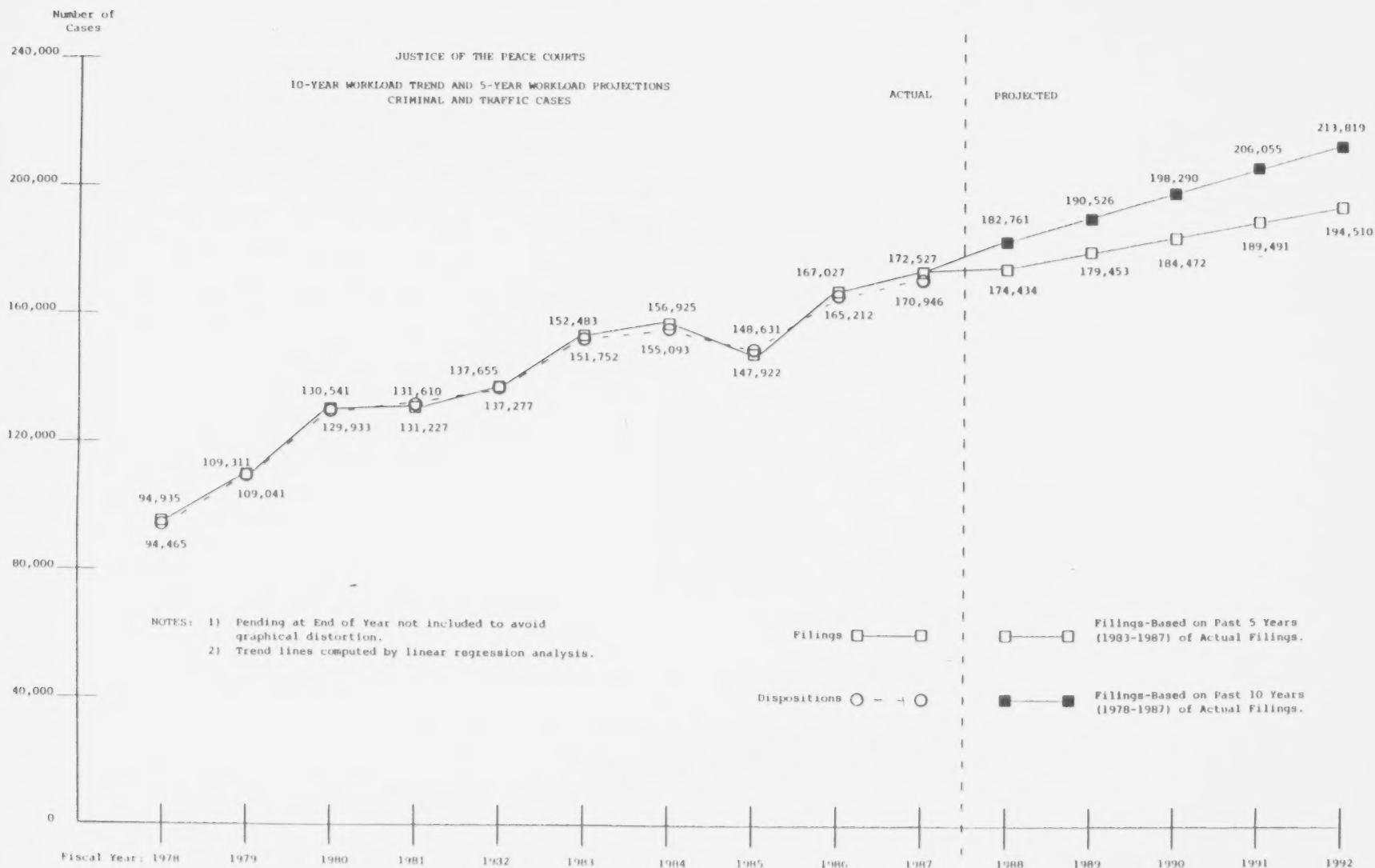
COMPARISON - FISCAL YEARS 1986-1987
CRIMINAL AND TRAFFIC CASES*
WORKLOAD

	<u>FILINGS</u>				<u>DISPOSITIONS</u>			
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
<u>New Castle County</u>								
Court 9	5,435	6,925	+1,490	+27.4%	5,422	6,928	+ 1,506	+27.8%
Court 10	22,391	19,006	-3,385	-15.1%	22,465	18,986	- 3,479	-15.5%
Court 11	40,837	35,973	-4,864	-11.9%	39,776	35,690	- 4,086	-10.3%
Court 14**	0	0	0	-	0	0	0	-
Court 15	14,815	16,626	+1,811	+12.2%	14,815	16,626	+ 1,811	+12.2%
Court 18	3,827	5,653	+1,826	+47.7%	3,827	5,653	+ 1,826	+47.7%
<u>Kent County</u>								
Court 6	6,329	5,864	- 465	- 7.3%	6,322	5,871	- 451	- 7.1%
Court 7	25,061	30,694	+5,633	+22.5%	24,939	30,499	+ 5,560	+22.3%
Court 8	2,783	2,677	- 106	- 3.8%	2,789	2,682	- 107	- 3.8%
<u>Sussex County</u>								
Court 1	2,866	2,749	- 117	- 4.1%	2,867	2,739	- 128	- 4.5%
Court 2	14,734	15,240	+ 506	+ 3.4%	14,030	14,244	+ 214	+ 1.5%
Court 3	12,663	13,152	+ 489	+ 3.9%	12,638	13,129	+ 491	+ 3.9%
Court 4	12,760	15,002	+2,242	+17.6%	12,803	14,913	+ 2,110	+16.5%
Court 5	2,526	2,966	+ 440	+17.4%	2,519	2,986	+ 467	+18.5%
State	167,027	172,527	+ 5,500	+ 3.3%	165,212	170,946	+ 5,734	+ 3.5%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts



Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1987
CIVIL CASES
WORKLOAD SUMMARY

	<u>Pending 6/30/86</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
<u>New Castle County</u>						
Court 9	22	320	328	14	- 8	- 36.4%
Court 12	1,289	6,981	6,300	1,970	+ 681	+ 52.8%
Court 13	1,009	8,719	8,370	1,358	+ 349	+ 34.6%
<u>Kent County</u>						
Court 6	20	1,514	1,484	50	+ 30	+150.0%
Court 16	1,538	4,081	3,990	1,629	+ 91	+ 5.9%
Court 8	40	917	818	139	+ 99	+247.5%
<u>Sussex County</u>						
Court 1	40	506	505	41	+ 1	+ 2.5%
Court 2	1,199	624	537	1,286	+ 87	+ 7.3%
Court 17	166	1,930	1,869	227	+ 61	+ 36.8%
Court 19	194	1,560	1,604	150	- 44	- 22.7%
Court 5	<u>158</u>	<u>1,572</u>	<u>1,524</u>	<u>206</u>	<u>+ 48</u>	<u>+ 30.4%</u>
State	5,675	28,724	27,329	7,070	+1,395	+ 24.6%

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1987
CIVIL CASES
WORKLOAD BREAKDOWNS

	<u>FILINGS</u>			<u>DISPOSITIONS</u>		
	<u>Complaints</u>	<u>Landlord/Tenant</u>	<u>TOTALS</u>	<u>Complaints</u>	<u>Landlord/Tenant</u>	<u>TOTALS</u>
<u>New Castle County</u>						
Court 9	216 67.5%	104 32.5%	320 100.0%	206 62.8%	122 37.2%	328 100.0%
Court 12	4,299 61.6%	2,682 38.4%	6,981 100.0%	3,676 58.3%	2,624 41.7%	6,300 100.0%
Court 13	6,195 71.1%	2,524 28.9%	8,719 100.0%	6,326 75.6%	2,044 24.4%	8,370 100.0%
<u>Kent County</u>						
Court 6	1,440 95.1%	74 4.9%	1,514 100.0%	1,413 95.2%	71 4.8%	1,484 100.0%
Court 16	3,619 88.7%	462 11.3%	4,081 100.0%	3,434 86.1%	556 13.9%	3,990 100.0%
Court 8	873 95.2%	44 4.8%	917 100.0%	775 94.8%	43 5.2%	818 100.0%
<u>Sussex County</u>						
Court 1	354 70.0%	152 30.0%	506 100.0%	353 69.9%	152 30.1%	505 100.0%
Court 2	491 78.7%	133 21.3%	624 100.0%	417 77.7%	120 22.3%	537 100.0%
Court 17	1,831 94.9%	99 5.1%	1,930 100.0%	1,763 94.3%	106 5.7%	1,869 100.0%
Court 19	1,318 84.5%	242 15.5%	1,560 100.0%	1,362 84.9%	242 15.1%	1,604 100.0%
Court 5	1,537 97.8%	35 2.2%	1,572 100.0%	1,507 98.9%	17 1.1%	1,524 100.0%
State	22,173 77.2%	6,551 22.8%	28,724 100.0%	21,232 77.7%	6,097 22.3%	27,329 100.0%

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS
FISCAL YEAR 1987
CIVIL CASES
WORKLOAD BREAKDOWNS (CONTINUED)

CHANGE IN PENDING

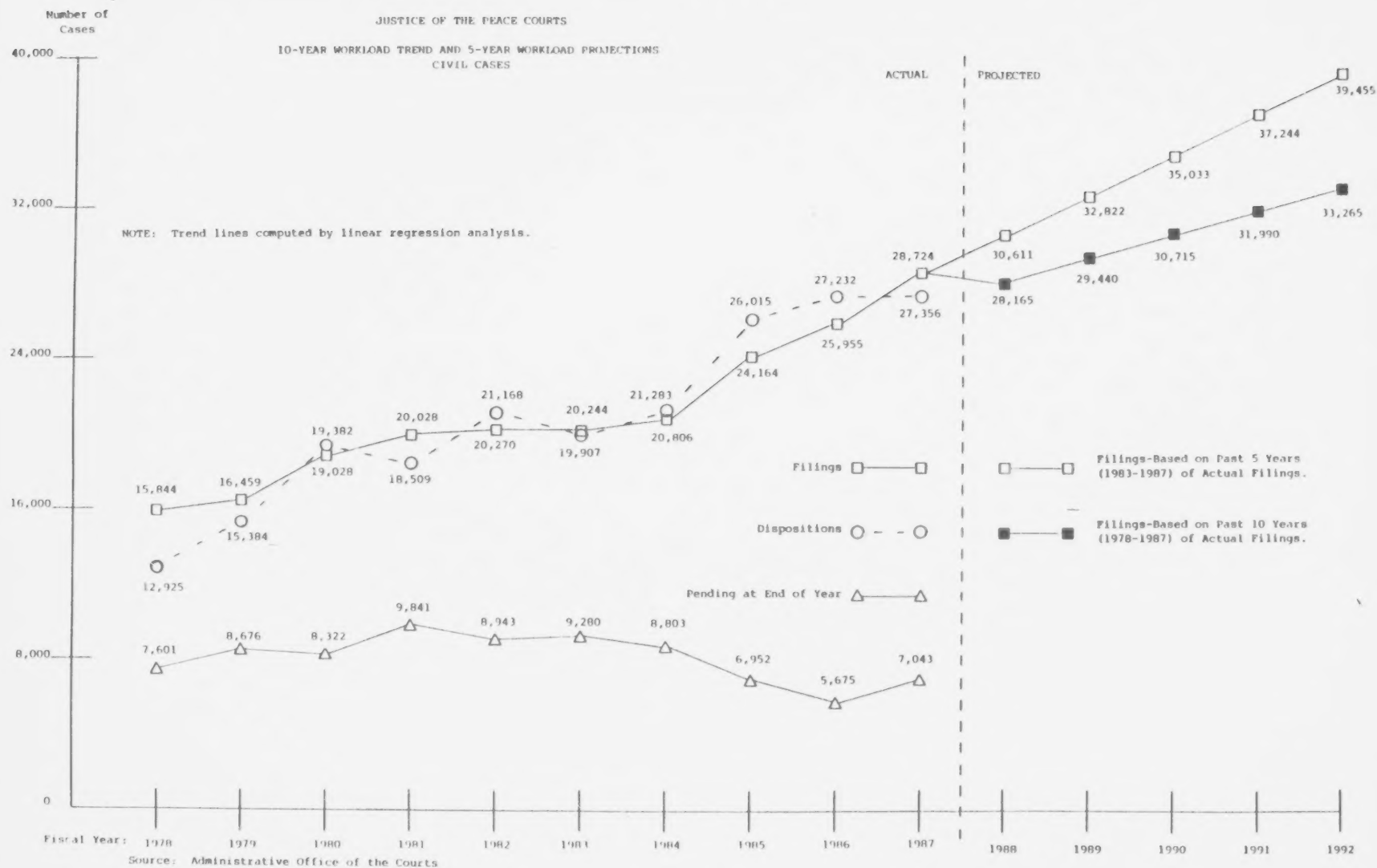
	<u>Complaints</u>	<u>Landlord/Tenant</u>	<u>TOTALS</u>
<u>New Castle County</u>			
Court 9	+ 10	- 18	- 8
Court 12	+ 623	+ 58	+ 681
Court 13	- 131	+ 480	+ 349
<u>Kent County</u>			
Court 6	+ 27	+ 3	+ 30
Court 16	+ 185	- 94	+ 91
Court 8	+ 98	+ 1	+ 99
<u>Sussex County</u>			
Court 1	+ 1	0	+ 1
Court 2	+ 74	+ 13	+ 87
Court 17	+ 68	- 7	+ 61
Court 19	- 44	0	- 44
Court 5	+ 30	+ 18	+ 48
State	+ 941	+ 454	+1,395

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS
COMPARISON - FISCAL YEARS 1986-1987
CIVIL CASES
WORKLOAD

	<u>FILINGS</u>				<u>DISPOSITIONS</u>			
	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>	<u>1986</u>	<u>1987</u>	<u>Change</u>	<u>% Change</u>
<u>New Castle County</u>								
Court 9	418	320	- 98	- 23.5%	401	328	- 73	- 18.2%
Court 12	7,594	6,981	- 613	- 8.1%	7,770	6,300	-1,470	- 18.9%
Court 13	7,777	8,719	+ 942	+ 12.1%	7,841	8,370	+ 529	+ 6.8%
<u>Kent County</u>								
Court 6	665	1,514	+ 849	+127.7%	671	1,484	+ 813	+121.2%
Court 16	3,610	4,081	+ 471	+ 13.1%	4,616	3,990	- 626	- 13.6%
Court 8	397	917	+ 520	+131.0%	476	818	+ 342	+ 71.9%
<u>Sussex County</u>								
Court 1	680	506	- 174	- 25.6%	683	505	- 178	- 26.1%
Court 2	514	624	+ 110	+ 21.4%	458	537	+ 79	+ 17.3%
Court 17	1,599	1,930	+ 331	+ 20.7%	1,589	1,869	+ 280	+ 17.6%
Court 19	1,368	1,560	+ 192	+ 14.0%	1,308	1,604	+ 296	+ 22.6%
Court 5	<u>1,333</u>	<u>1,572</u>	<u>+ 239</u>	<u>+ 17.9%</u>	<u>1,419</u>	<u>1,524</u>	<u>+ 105</u>	<u>+ 7.4%</u>
State	25,955	28,724	+2,769	+ 10.7%	27,232	27,329	+ 97	+ 0.4%

Source: Chief Magistrate's Office, Justice of the Peace Courts



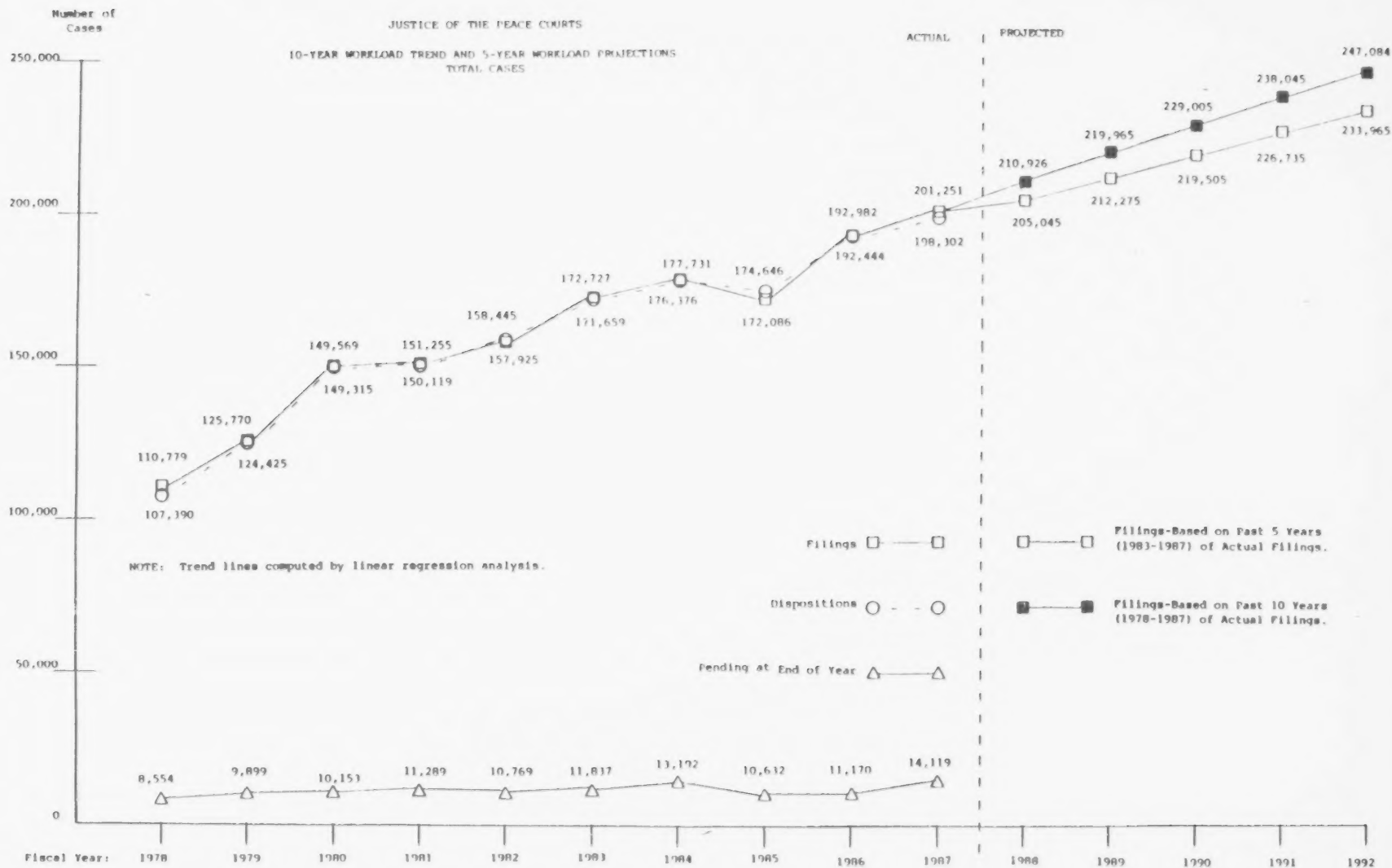
JUSTICE OF THE PEACE COURTS
FISCAL YEAR 1987
RANKINGS IN ORDER OF TOTAL CASES FILED

<u>Rank</u>	<u>Court</u>	<u>Total Number of Cases Filed*</u>	<u>Percentage of Total</u>	<u>FY 1986 Rank</u>
1	11	35,973	17.9%	1
2	7	30,694	15.3%	2
3	10	19,006	9.4%	3
4	15	16,626	8.3%	5
5	2	15,864	7.9%	4
6	4	15,002	7.4%	6
7	3	13,152	6.5%	7
8	13	8,719	4.3%	8
9	6	7,378	3.7%	10
10	9	7,245	3.6%	11
11	12	6,981	3.5%	9
12	18	5,653	2.8%	13
13	5	4,538	2.3%	12
14	16	4,081	2.0%	14
15	8	3,594	1.8%	16
16	1	3,255	1.6%	15
17	17	1,930	1.0%	17
18	19	1,560	0.8%	18
19	14**	0	0.0%	19
	State	201,251	100.0%	

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

**Court 14 is used to handle some driving under the influence, fugitive warrant, and other cases which are included in the totals for other courts.

Source: Chief Magistrate's Office, Justice of the Peace Courts



Alderman's Courts

ALDERMAN'S COURT

Legal Authorization

Alderman's Courts are authorized by the town charters of their respective towns.

Geographic Organization

Alderman's Courts have jurisdiction only within their own town limits. There were 13 active Alderman's or Mayor's Courts at the start of FY 1987; 5 in New Castle County and 8 in Sussex County. The Alderman's Court in Middletown was closed in November, 1986, leaving 4 Courts in New Castle County at the end of FY 1987 along with the 8 in Sussex County. When a town is without a court or an alderman for any period of time, its cases are transferred to the nearest Justice of the Peace Court. In the case of Middletown, the cases were transferred to J. P. Court #9.

Legal Jurisdiction

The jurisdiction of an Alderman's Court is limited to minor misdemeanors, traffic offenses, parking violations, and minor civil matters. The specific jurisdiction of each court varies with the town charter (which is approved by the State Legislature). Appeals are taken de novo to Superior Court within 15 days of the trial.

Aldermen

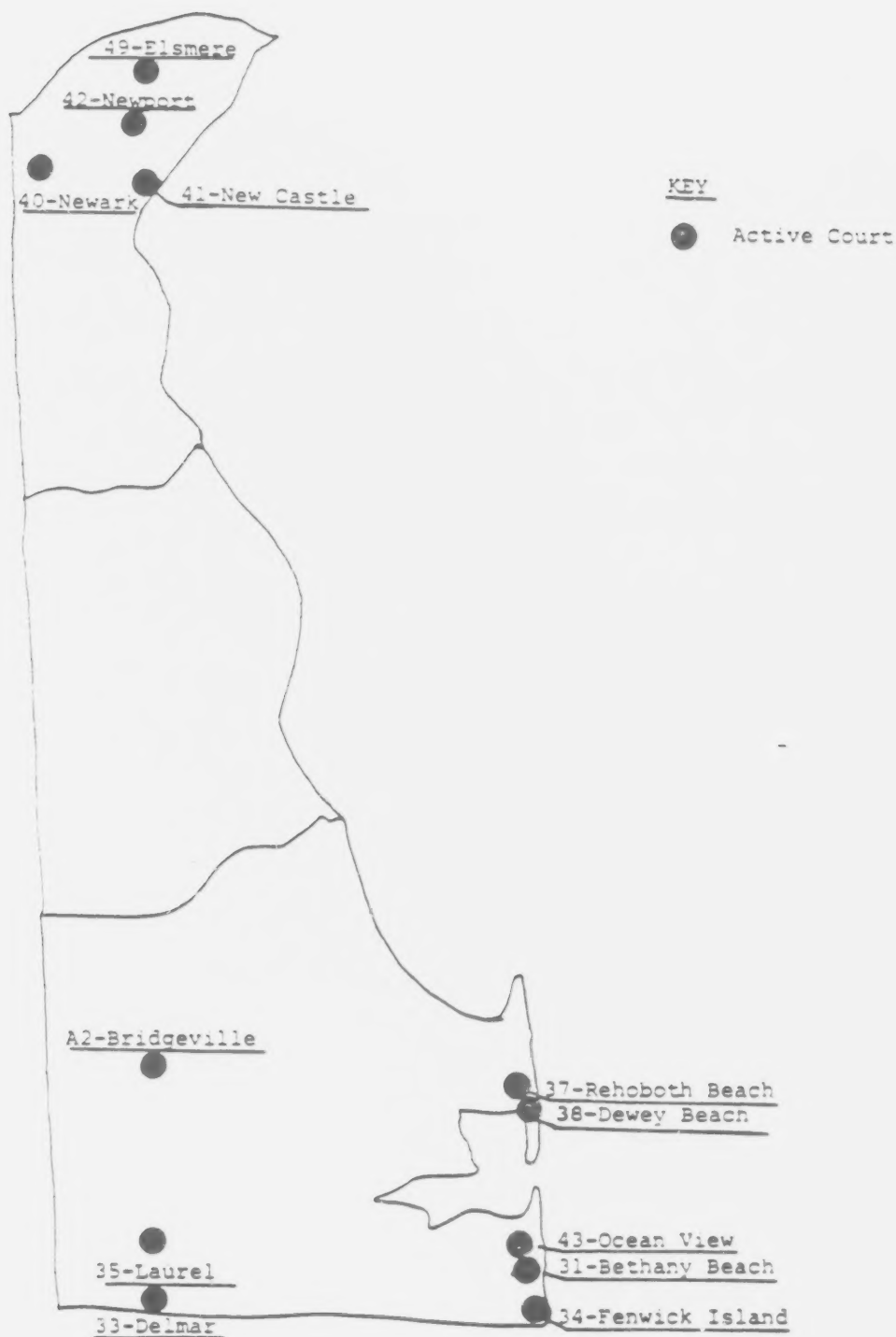
The selection, number, tenure and qualifications of aldermen are determined by the towns themselves. Some require lawyers while others choose ordinary citizens. A few aldermen serve full-time, while some are part-time judges. In New Castle, the mayor serves as judge of their court.

Caseload Trend

Total statewide filings in the Alderman's Courts fell by 8.8% from 24,620 during FY 1986 to 22,452 in FY 1987. There was a drop in total statewide dispositions for the Alderman's Courts as well, decreasing by 7.6% to 22,009 in FY 1987 from 23,828 in FY 1986.

Information on total pending for Alderman's Courts began for FY 1980 and has risen during each fiscal year. In FY 1987 there was a 9.6% increase from 4,598 total pending at the end of FY 1986 to 5,041 total pending at the end of FY 1987.

ALDERMAN'S COURTS IN DELAWARE



ALDERMAN'S COURTS

ALDERMEN

NEW CASTLE COUNTY

Elsmere

Hon. Edward F. Doyle, Jr., Mayor

Newark

Hon. Thomas B. Ferry, Chief Alderman
of Delaware

Hon. Michael B. Joseph, Deputy Alderman

New Castle

Hon. John F. Klingmeyer, Mayor

Newport

Hon. Annette Leech, Alderman

KENT COUNTY

SUSSEX COUNTY

Bethany Beach

Hon. J. Joseph Tansey, Alderman

Hon. Harold Britton Barber, Assistant Alderman

Brideville

Hon. Constance H. Collins, Alderman

Hon. F. Eugene Crockett, Assistant Alderman

Delmar

Hon. Linda H. Walmsley, Aldermen

Dewey Beach

Hon. James C. Pope, II, Alderman

Hon. Albert C. Gibson, Alderman

Fenwick Island

Hon. Richard A. Barton, Chief Deputy

Alderman of Delaware

Laurel

Hon. Edward Walmsley, Jr., Alderman

Hon. Linda H. Walmsley, Assistant Alderman

Ocean View

Hon. Marilyn F. Denny, Alderman

Rehoboth Beach

Hon. Michael J. DeFiore, Alderman

Vacant, Assistant Alderman

ALDERMAN'S COURTS

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SUPPORT PERSONNEL

NEW CASTLE COUNTY

ELSMERE

Mayor's Court 49
11 Poplar Avenue
Elsmere, DE 19805
(998-2215)

Executive Secretary
Mary Kelleher

NEWARK

Alderman's Court 40
220 Elkton Road
P.O. Box 390
Newark, De 19715
(366-7028, 366-7029)

Clerk of the Court
Margaret B. Nelson

Clerk Typist

Betty Hales
Donna Mooyman (part-time)
Kathryn Conner (part-time)

KENT COUNTY

SUSSEX COUNTY

BETHANY BEACH

Alderman's Court 31
P.O. Box 109
Bethany Beach, DE 19930
(539-8011)

BRIDGEVILLE

Alderman's Court 32
101 N. Main Street
Bridgeville, DE 19933
(337-7371)

DELMAR

Alderman's Court 33
P.O. Box 398
Delmar, DE 19940
(846-2138)

DEWEY BEACH

Alderman's Court 36
Town Hall
105 Rodney Street
Dewey Beach, DE 19971
(227-6363)

FENWICK ISLAND

Alderman's Court 34
Town Hall
Fenwick Island, DE 19944
(539-3011)

ALDERMAN'S COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

NEW CASTLE

Mayor's Court 41
220 Delaware Street
New Castle, DE 19720
(322-9802)

Court Clerk

P. M. DiEmidio

NEWPORT

Alderman's Court 42
15 N. Augustine Street
P.O. Box 3053
Newport, DE 19804
(998-2707)

KENT COUNTY

SUSSEX COUNTY

LAUREL

Alderman's Court 35
P.O. Box 210
Laurel, DE 19956
(875-2855)

Court Clerk

Linda H. Walmsley

OCEAN VIEW

Alderman's Court 43
Town Hall
Oakwood Avenue
P.O. Box 3
Ocean View, DE 19970
(539-9797)

REHOBOTH BEACH

Alderman's Court 37
P.O. Box C
Rehoboth Beach, DE 19971
(227-7917)

ALDERMAN'S COURT

FISCAL YEAR 1987

TOTAL CASES*

WORKLOAD SUMMARY

<u>Court</u>	<u>Pending 6/30/86</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
<u>New Castle County</u>						
Elsmere**	122	407	522	7	- 115	- 94.3%
Middletown	115	179	294	0	- 115	-100.0%
Newark	2,689	7,732	6,592	3,829	+1,140	+ 42.4%
New Castle	0	471	471	0	0	-
Newport**	434	3,272	3,610	96	- 338	- 77.9%
<u>Sussex County</u>						
Bethany Beach	319	1,798	1,786	331	+ 12	+ 3.8%
Bridgeville	199	3,453	3,458	194	- 5	- 2.5%
Delmar	106	268	310	84	- 22	- 20.8%
Dewey Beach	424	1,309	1,428	305	- 119	- 28.1%
Fenwick Island	0	1,510	1,510	0	0	-
Laurel	102	676	675	103	+ 1	+ 1.0%
Ocean View	0	200	200	0	0	-
Rehoboth Beach	88	1,157	1,153	92	+ 4	+ 4.6%
TOTALS	4,598	22,452	22,009	5,041	+ 443	+ 9.6%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

**The Elsmere Court and the Newport Court only collect fines for traffic cases and do not actually try the case.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1987
CRIMINAL CASES*
WORKLOAD SUMMARY

<u>Court</u>	<u>Pending 6/30/86</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
<u>New Castle County</u>						
Elsmere	0	0	0	0	0	-
Middletown	2	12	14	0	- 2	-100.0%
Newark	950	1,745	1,626	1,069	+119	+ 12.5%
New Castle	0	1	1	0	0	-
Newport	0	0	0	0	0	-
<u>Sussex County</u>						
Bethany Beach	21	82	71	32	+ 11	+ 54.2%
Bridgeville	11	400	411	0	- 11	-100.0%
Delmar	23	34	36	21	- 2	- 8.7%
Dewey Beach	179	583	637	125	- 54	- 30.2%
Fenwick Island	0	265	265	0	0	-
Laurel	22	169	164	27	+ 5	+ 22.7%
Ocean View	0	0	0	0	0	-
Rehoboth Beach	<u>2</u>	<u>320</u>	<u>322</u>	<u>0</u>	<u>- 2</u>	<u>-100.0%</u>
TOTALS	1,210	3,611	3,547	1,274	+ 64	+ 5.3%

*The unit of count for criminal cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1987
TRAFFIC CASES*
WORKLOAD SUMMARY

<u>Court</u>	<u>Pending 6/30/86</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/87</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
<u>New Castle County</u>						
Elsmere**	122	407	522	7	- 115	- 94.3%
Middletown	113	167	280	0	- 113	-100.0%
Newark	1,739	5,987	4,966	2,760	+1,021	+ 58.7%
New Castle	0	470	470	0	- 0	-
Newport**	434	3,272	3,610	96	- 338	- 77.9%
<u>Sussex County</u>						
Bethany Beach	298	1,716	1,715	299	+ 1	+ 0.3%
Bridgeville	188	3,053	3,047	194	+ 6	+ 3.2%
Delmar	83	254	274	63	- 20	- 24.1%
Dewey Beach	245	726	791	180	- 65	- 26.5%
Fenwick Island	0	1,245	1,245	0	0	-
Laurel	80	507	511	76	- 4	- 5.0%
Ocean View	0	200	200	0	0	-
Rehoboth Beach	86	837	831	92	+ 6	+ 9.3%
TOTALS	3,388	18,841	18,462	3,767	+ 379	+ 11.2%

*The unit of count in traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 defendants.

**The Elsmere Court and the Newport Court only collect fines for traffic cases and do not actually try the case.

Source: Alderman's Courts

ALDERMAN'S COURTS
COMPARISON - FISCAL YEARS 1986-1987
TOTAL CASES
WORKLOAD

Court	<u>Number of Dispositions*</u>		<u>Change</u>	<u>% Change</u>
	<u>1986</u>	<u>1987</u>		
<u>New Castle County</u>				
Elsmere**	2,557	522	-2,035	- 79.6%
Middletown	1,013	294	- 719	- 71.0%
Newark	6,875	6,592	- 283	- 4.1%
New Castle	1,027	471	- 556	- 54.1%
Newport**	2,794	3,610	+ 816	+ 29.2%
<u>Sussex County</u>				
Bethany Beach	1,542	1,786	+ 244	+ 15.8%
Bridgeville	2,682	3,458	+ 776	+ 28.9%
Delmar	439	310	- 129	- 29.4%
Dewey Beach	804	1,428	+ 624	+ 77.6%
Fenwick Island	1,158	1,510	+ 352	+ 30.4%
Laurel	963	675	- 288	- 29.9%
Ocean View	157	200	+ 43	+ 27.4%
Rehoboth Beach	<u>1,817</u>	<u>1,153</u>	- 664	- 36.5%
TOTALS	23,828	22,009	-1,819	- 7.6%

*The unit of count in criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

**The Elsmere Court and the Newport Court collect fines for traffic cases and do not actually try the case.

Source: Alderman's Courts

ALDERMAN'S COURTS

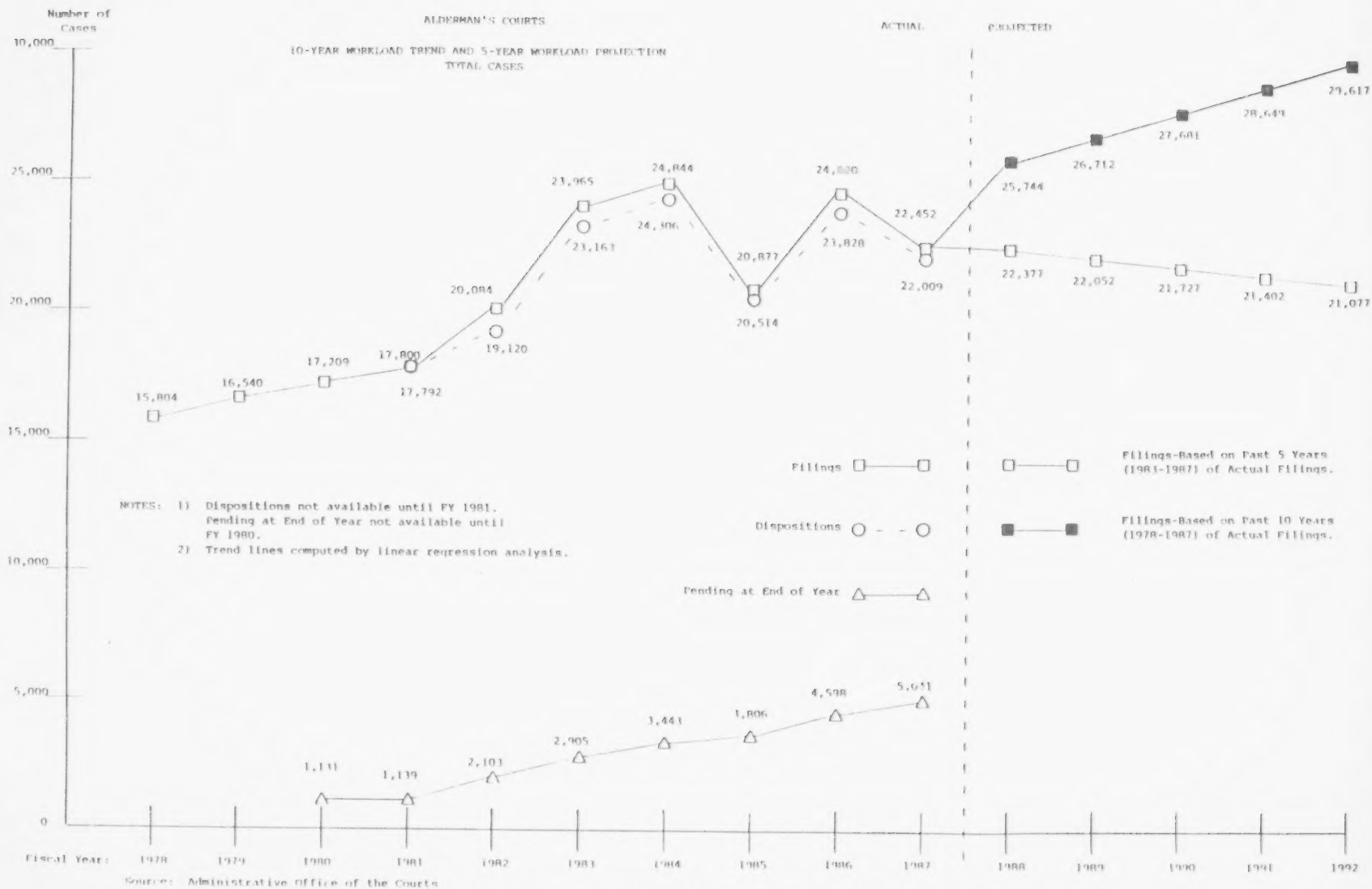
FISCAL YEAR 1987
RANKINGS IN ORDER OF TOTAL CASES FILED

<u>Rank</u>		<u>Total Number of Filings*</u>	<u>Percentage of Total</u>	<u>FY 1986 Rank</u>
1	Newark	7,732	34.4%	1
2	Bridgeville	3,453	15.4%	2
3	Newport**	3,272	14.6%	3
4	Bethany Beach	1,798	8.0%	6
5	Fenwick Island	1,510	6.7%	8
6	Dewey Beach	1,309	5.8%	7
7	Rehoboth Beach	1,157	5.2%	5
8	Laurel	676	3.0%	11
9	New Castle	471	2.1%	10
10	Elsmere**	407	1.8%	4
11	Delmar	288	1.3%	12
12	Ocean View	200	0.9%	13
13	Middletown	179	0.8%	9
	TOTALS	22,452	100.0%	

*The unit of count for criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

**The Elsmere Court and the Newport Court only collect fines for traffic cases and do not actually try the case.

Source: Alderman's Courts



Violent Crimes Compensation Board

VIOLENT CRIMES COMPENSATION BOARD

LEGAL AUTHORIZATION

The Violent Crimes Compensation Board is authorized by 11 Delaware Code, Chapter 90.

PURPOSE

It is the purpose of the Violent Crimes Compensation Board to "promote the public welfare by establishing a means of meeting the additional hardships imposed upon the innocent victims of certain crimes and the family and dependents of those victims". Compensation is available to meet the added burden which sometimes face the innocent crime victim up to a maximum of \$20,000. The minimum award is \$25, though in dire hardship cases the minimum loss may be waived. The Board receives a 15% penalty assessment which, by law, is added onto every state fine, penalty and forfeiture. These monies are deposited into the "Victim's Compensation Fund" for use when needed. The fund is also replenished through court ordered restitution. With the passage of "The Victims of Crime Act of 1984" (VOCA), Delaware's Violent Crimes Compensation Board receives reimbursement for 35% of the amount paid out in claims from the state's victim compensation fund for the previous federal fiscal year.

GEOGRAPHIC ORGANIZATION

The Board is responsible for handling requests for compensation throughout the State of Delaware. Hearings on these requests may be held anywhere in the State at the convenience of the victim, with the Administrative Office of the Violent Crimes Compensation Board located in Wilmington.

PERSONNEL

The Violent Crimes Compensation Board consists of five members: a chairwoman, a vice-chairman and three additional Board members. Each member is appointed by the Governor and must be approved by the Senate before serving on the Board. The term of each Board member is three years as long as no more than two members have their terms expire at the end of any given year. The Board may appoint an Executive Secretary and other employees as needed up to a maximum of five at any one time. The Board currently employs an Executive Secretary, an administrative assistant, two claim investigators and a secretary.

CASELOAD TREND

The revenue receipts of over \$948,750 received from penalty assessments and court-ordered restitution during FY 1987 were deposited in the "Victim's Compensation Fund". The budget expenditures of roughly \$790,200 are a combination of approximately \$209,300 in administrative costs and \$580,800 in award payments and revenue refunds. The Board has paid out approximately \$3,395,000 in award payments since FY 1976. In FY 1987, the Board awarded \$608,700 but, due to budget limitations, paid out \$580,400. The difference of \$28,300 will be paid out in FY 1988.

VIOLENT CRIMES COMPENSATION BOARD

Suite 10

1500 East Newport Pike
Wilmington, Delaware 19804
(995-8383)

BOARD MEMBERS

Leah W. Betts, Chairwoman (D, 8/5/89)
Edward Stansky, Vice-Chairman (D, 6/30/90)
Saxton C. Lambertson (R, 5/30/88)
Stephen L. Manista (R, 1/20/88)
Charles H. Tolliver, IV (R, 6/30/88)

SUPPORT PERSONNEL

Executive Secretary

Oakley M. Banning, Jr.

Administrative Assistant

Ann L. DeNegro

Secretary

Barbara E. Weiss

Claim Investigators

Marcia A. Jenkins

Howard P. Wilson

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Foster Care Review Board

FOSTER CARE REVIEW BOARD

Legal Authorization

The Foster Care Review Board is authorized by 31 Delaware Code, Chapter 38.

Purpose

The Board serves as a volunteer-based monitoring system responsible for identifying and periodically reviewing Delaware's children placed in out-of-home foster care. Periodic reviews of children in out-of-home placement are conducted to ensure that continuing efforts are being made to obtain permanent homes for children, to provide stability in the lives of children who must be removed from their homes, to make the needs of a child for physical, mental, and emotional growth the determining factors in permanency planning, and to ensure that foster care remains a temporary status.

The Board engages in case advocacy on behalf of individual foster children, and class advocacy actions on behalf of the class of foster children.

The Board must report annually to the Chief Justice of the Supreme Court, the General Assembly, and the Governor regarding the effectiveness of its activities. The Board must also make recommendations concerning resources, policies, and statutes which affect the goal of permanency for children at that time.

Geographic Organization

The Board is responsible for reviewing the placement of children throughout the State of Delaware and actual review sessions are conducted in Wilmington, Dover, Milford and Georgetown. The Administrative Office of the Board is located in Wilmington.

Personnel

78 citizen volunteers composed the Foster Care Review Board in FY 1987. Board members are appointed by the Governor and serve terms of not more than three years. Not more than a simple majority of the Board members may be members of either major political party. The Governor designates one member who serves at his pleasure as Chairman of the Board. The Board hires an Executive Director who may, in turn, employ additional support personnel.

Performance

Legislation signed by Governor Michael N. Castle on June 23, 1986 has expanded the Board's program to review 100 percent of children in out-of-home foster care effective by March 1, 1987. During FY 1987, the Board conducted 1,125 case reviews of children in foster care.

The Board, or Its Executive Committee, may petition Family Court for a judicial hearing when the Board believes there has been no progress towards achieving permanency for a child during a six-month period or when the placement agency disagrees with the Board's recommendation. The Board filed petitions for a judicial hearing on behalf of 57 foster children during FY 1987.

As of June 1987, the Board's statewide inventory of children identified 734 foster children. The Board's sample of children to be reviewed contained 734 children.

FOSTER CARE REVIEW BOARD
7th Floor
Elbert N. Carvel Delaware State Building
820 North French Street
Wilmington, Delaware 19801
(571-6000)

BOARD MEMBERS

Chairman

Shirley A. Cuprey (D)

Vice-Chairmen

Nancy McKenna (D, 9/1/89)

Linda Burris (R, 10/31/90)

SUPPORT PERSONNEL

Executive Director

Barbara A. Brown

Staff Assistant

Andra D. Berry

Robin Mayhew

Cathy K. Conner (part-time)

Deborah L. Simon (part-time)

Secretary

Charlotte J. Harris

Lorraine Kunz

Conferences & Councils

COURT ON THE JUDICIARY

Article IV, Section 37 of the Constitution of the State of Delaware created this Court, consisting of the Chief Justice and the Justices of the Supreme Court, the Chancellor of the Court of Chancery, and the President Judge of Superior Court.

Any judicial officer appointed by the Governor may be censured, removed, or retired by the Court on the Judiciary for willful misconduct in office, willful and persistent failure to perform duties, commission of an offense involving moral turpitude after appointment, other misconduct in violation of the Canons of Judicial Ethics, or permanent mental or physical disability interfering with the proper performance of his duties.

No censure, removal, or retirement can be effective until the judicial officer has been served with written charges and has had the opportunity to be heard in accordance with due process of law.

The Court on the Judiciary has the power to:

- (a) summon witnesses to appear and testify under oath and to compel production of other evidence, and
- (b) adopt rules establishing procedures for the investigation and trial of a judicial officer.

JUDICIAL CONFERENCE

Legal Authorization

The Judicial Conference is authorized by Supreme Court Rule 71.

Duties

The Judicial Conference studies the judicial business of the courts with a view towards improving the administration of justice in the State. The Conference also considers improvements in procedure, considers and recommends legislation, considers and implements the Canons of Judicial Ethics, holds symposia of Bench and Bar, and reviews continuing judicial education programs.

Membership

The membership of the Conference includes the Judges of the Supreme Court, Court of Chancery, Superior Court, Family Court, Court of Common Pleas, and the Municipal Court of Wilmington as well as the Chief Magistrate of the Justice of the Peace Courts. The Chief Justice is presiding officer of the Conference. The Director of the Administrative Office of the Courts serves as secretary for the Conference. Scheduled meetings of the Conference are held on the first Wednesdays of December and June. Additional meetings may be called by the Chief Justice or by the senior Associate Justice if he is absent.

Legal Authorization

The Criminal Justice Council is authorized by 11 Delaware Code, Chapter 87.

Duties

The Council is charged with the continuous study of the administration of justice in the State, including the organization, procedure, practice, rules, and methods of administration and operation of each and all the courts of the State, whether of record or not of record. The Council collects and uses statistical and other information concerning the work of the courts and other criminal justice agencies and makes recommendations to the Governor, the General Assembly, the courts and/or the bar. The Council allocates federal block grant funds to various agencies for the improvement of the state criminal justice system.

Membership

The 19 members of the Council are: the Chief Justice, the President Judge of Superior Court, the Chief Judge of Family Court, the Chief Magistrate, the Attorney General, the Public Defender, the Commissioner for the Department of Correction, the Chief of the Bureau of Adult Correction, the Director of the Division of Youth Rehabilitation, the Chairman of the Board of Parole, the Superintendent of the State Police, the Chiefs of Police for New Castle County and Wilmington, the Chairman of the Delaware Police Chiefs' Council, the Superintendent of Public Instruction, and four (4) at-large members selected by the Governor. The current members are as follows:

Hon. Andrew D. Christie, Chief Justice, Supreme Court
Hon. Albert J. Stiffel, President Judge, Superior Court
Hon. Robert D. Thompson, Chief Judge, Family Court
Hon. Norman A. Barron, Chief Magistrate, Justice of the Peace Courts
Charles M. Oberly, III, Attorney General
Lawrence M. Sullivan, Esq., Public Defender
Robert J. Watson, Commissioner, Department of Corrections
Henry Risley, Chief, Bureau of Adult Correction
Daniel W. Cox, Director, Division of Youth Rehabilitation
Oliver Casson, Chairman, Board of Parole
Col. Clifford Graviet, Superintendent, State Police
John McCarnan, Chief, New Castle County Police
Joseph Pennell, Chief, Wilmington Police
Donald McDinty, Vice-Chairman, Delaware Police Chiefs' Council
Dr. William B. Keene, Superintendent, Public Instruction
Carl Schnee, Esq., (Chairman), At-Large Member
James E. Liquori, Esq., At-Large Member
Ann Burton, At-Large Member
Robert C. Forney, At-Large Member

Legal Authorization

The Board of Managers, Delaware Justice Information System, is authorized by 11 Delaware Code, Chapter 86.

Duties

The Board is charged with the establishing of policy for the development, implementation, and operation of comprehensive data systems in support of the agencies and courts of the criminal justice system of the State. Said data systems include, but are not limited to, criminal history record information with respect to individuals who are arrested, or against whom formal criminal charges are preferred within this State, or against whom proceedings related to the adjudication of a juvenile as delinquent are instituted.

Membership

The Board is composed of fourteen members, nine of whom are voting members who represent the following agencies and courts: the Office of the Governor, the Division of State Police, the Delaware Police Chiefs Council, the Office of the Attorney General, the Office of the Public Defender, the Family Court, all other Courts, the Division of Youth Rehabilitation Services, and the Department of Correction. The non-voting members represent the following entities: the Senate, the House of Representatives, the State Bureau of Identification, the Office of Information Systems and the Criminal Justice Council. The current appointing authorities are:

Voting:

Hon. Michael N. Castle, Governor
Hon. Andrew D. Christie, Chief Justice, Supreme Court
Hon. Charles M. Oberly, III, Attorney General
Lawrence M. Sullivan, Esquire, Public Defender
Robert J. Watson, Commissioner, Department of Correction
Daniel W. Cox, Director, Division of Youth Rehabilitation Services
Col. Clifford Graviet, Superintendent, State Police
Col. John McCarnan, Chairman, Delaware Police Chiefs Council

Non-Voting:

Hon. Richard Cordrey, President Pro Tempore, Senate
Hon. Joseph Petrilli, Speaker, House of Representatives
Col. Clifford Graviet, Superintendent, State Police
John Nold, Director, Office of Information Systems
Thomas J. Quinn, Director, Criminal Justice Council

Legislation

LEGISLATION

The following select, court-related legislation was enacted during 1987 by the Delaware General Assembly.

SENATE

Senate Bill 46

Sponsors: Senator Sharp; Representatives Hebner, Houghton, Buckworth, Davis and Plant.
Signed by the Governor 2/17/87.

This bill changes the Delaware Code relating to juries, trial by jury, jury selection and service.

Senate Bill 69

Sponsors: Senators Vaughn and Holloway; Representatives Davis and B. Ennis.
Signed by the Governor 7/1/87.

This bill authorizes the Department of Correction to administratively handle technical and minor violations of conditions of partial confinement, probation or suspension of sentence.

Senate Bill 71

Sponsors: Senators Vaughn and Holloway; Representatives Davis and B. Ennis.
Signed by the Governor 7/10/87.

This bill authorizes a five-level continuum of punishment as recommended by the Sentencing Accountability Commission.

Senate Bill 93

Sponsors: Senators Sharp, Zimmerman, Vaughn, Berndt and Bane; Representatives Hebner, Spence and Houghton.
Signed by the Governor 7/9/87.

This bill amends the Delaware Code relating to the General Corporation Law of the State.

Senate Bill 128

Sponsors: Senators Holloway and Blair; Representatives Taylor and Van Sant.
Signed by the governor 6/29/87.

This bill clarifies the definition of a controlled substance.

Senate Bill 171

Sponsors: Senator Sharp and Representative Hebner.
Signed by the Governor 7/8/87.

This bill authorizes the Court of Chancery to appoint an interim guardian under emergency circumstances.

Senate Bill 210

Sponsor: Senator Holloway.
Signed by the Governor 7/13/87.

This bill amends the Delaware Code to vest jurisdiction over all appeals from Family Court orders in civil proceedings directly to the Supreme Court.

Senate Bill 228

Sponsors: Senator Adams; Representatives Barnes and Carey.
Signed by the Governor 7/8/87.

This bill amends the State Judicial Pension Plan by permitting an alternative method for a State Judge to become a member of said plan.

Senate Bill 267

Sponsors: Senator Adams and Representative Barnes.
Signed by the Governor 7/9/87.

This bill amends the manner by which judicial pensions may be calculated so as not to penalize senior judges who retire prior to 1990.

HOUSE OF REPRESENTATIVES

House Bill 35

Sponsors: Representatives Jonkier, Davis, Barnes, Bennett, Boykin, Brady, Buckworth, Bunting, Campanelli, Carey, Caulk, Clark, Corrozi, B. Ennis, Fallon, Houghton, Jester, Maroney, Oberle, Outten, Petrilli, Quillen, Roy, Spence, Taylor, Van Sant, West and Wingate; Senators Connor, Minner and Torbert.
Signed by the Governor 5/18/87.

This bill provides for a house arrest program for non-violent offenders.

House Substitute No. 1 for House Bill 61

Sponsors: Representatives Maroney and Jester; Senators Holloway and Connor.
Signed by the Governor 4/10/87.

This bill amends the Delaware Code relating to child support obligations.

House Bill 63

Sponsors: Representatives Davis, Soles, Spence, Hebner and Buckworth; Senators Vaughn and Slatcher.
Signed by the Governor 7/16/87.

This bill establishes specific procedures for the disbursement of restitution payments to the victims of crimes.

House Bill 282

Sponsors: Representative Oberle and Senator Bane.
Signed by the Governor 7/16/87.

This bill transfers responsibility and authority for Prothonotary Offices from county governments to the State of Delaware.

House Bill 309

Sponsor: Representative Petrilli.
Signed by the Governor 6/17/87.

This bill amends the Delaware Code relating to Justice of the Peace Court costs.